

**A HISTORICAL AND THEOLOGICAL EVALUATION  
OF THE SIKH GURDWARAS ACT, 1925**

**by**

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## ABSTRACT

Gurdwara legislation, Gurdwara management and institutions of Sikh leadership affect all Sikhs and are in existence to uphold and perpetuate Sikh religious traditions and values.

This study is a historical and theological evaluation of the Sikh Gurdwaras Act, which was a secular legislation introduced in 1925 by the British administration in India. It evolved as a response to the Gurdwara Reform Movement, which was a religiously motivated struggle, to provide a scheme of management for Gurdwaras.

The study constructs a narrative which evaluates the historical context and factors leading to the creation of the Act. Through a theological evaluation which engages in the interpretation and application of the Sikh Sacred Scriptures, the study then highlights that there is a contradiction which should not exist between: the content and implementation of the Sikh Gurdwaras Act, 1925; the constitution and actions of Sikh leadership institutions (the SGPC and the SAD); and between the theological teachings of the Sikh *Dharam*.

The study ultimately suggests that there is need for the Sikh Gurdwaras Act, 1925 to be redeveloped so that Gurdwara legislation, Gurdwara management and institutions of Sikh leadership epitomise and are a more authentic reflection of the teachings within the Sikh Sacred Scriptures.

## DEDICATION

Dedicated to Bhai Sahib Mohinder Singh (Spiritual Leader and Chairman of Guru Nanak Nishkam Sewak Jatha), whose vision, direction and blessings made this possible.

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## CHAPTER ONE - INTRODUCTION

### 1.1 Focus and applicability of study

Gurdwara legislation, Gurdwara management and institutions of Sikh leadership affect all Sikhs and are in existence to uphold and perpetuate both Sikh religious traditions and values.

This study is a historical and theological evaluation of the Sikh Gurdwaras Act, which was a secular legislation introduced in 1925 by the British administration in India. It was introduced as a response to the Sikh Gurdwara Reform Movement, a religiously motivated struggle.

As the following literature review reveals, there is a plethora of literature written on Gurdwara legislation, Gurdwara management and institutions of Sikh leadership. However, there is a substantial lack of literature specifically on the Sikh Gurdwaras Act, 1925 within the contexts of Gurdwara management and institutions of Sikh leadership. Furthermore, there is a distinct absence of literature evaluating the Sikh

Gurdwaras Act, 1925, its implementation and its consequences theologically; a gap which this study aims to fill.

The study makes general reference to events in Sikh history spanning six centuries (from the fifteenth century up until the present day) but focuses on and makes detailed reference to Sikh historical events from the 1900's onwards which relate to Gurdwara management, Gurdwara legislation and Sikh leadership institutions, namely the Shiromani Gurdwara Parbandhak Committee (hereinafter the SGPC) and the Shiromani Akali Dal (hereinafter the SAD).

This study is not an exercise in political or organisational management analysis. It sets the necessary historical context for fully understanding the Gurdwara Reform Movement, the genesis of the Sikh Gurdwaras Act, 1925 and Gurdwara legislation and the formulation of the Sikh leadership institutions, the SGPC and the SAD. It then evaluates the content and implementation of the Sikh Gurdwaras Act, 1925, theologically, through an interpretation and application of the Sikh Sacred Scriptures which are used as the criteria for critical analysis.

Overall it aims to highlight that:

- The Sikh Gurdwaras Act, 1925 arose from a specific and unique historical context but the accuracy, relevance and application of its content needs to be reconsidered.
- Secular legislation for religious and spiritual matters can produce results contradictory to the values of that religious faith.
- Secular management and leadership structures used for spiritual matters are susceptible to political influences.
- The void between scriptural teaching and legislation or guidelines pertaining to religious matters needs to be bridged so that legislation is accurate, relevant and appropriately reflective of religious traditions, teachings and sensitivities.
- Legislation relating to religious faith institutions or religious faith leadership which is formulated in the above manner will be conducive to ensuring that religious institutions reflect the values of the religious faith they pertain to and that religious leaders embody the values of the religious faith they represent.

As the Sikh Gurdwaras Act, 1925 had and still has varying implications for Gurdwara management and institutions of Sikh leadership this

study is relevant to the estimated 30 million Sikhs worldwide ([www.en.wikipedia.org/wiki/Sikh](http://www.en.wikipedia.org/wiki/Sikh) accessed on 15th May, 2008). The historical and theological evaluation also makes this study of general relevance to other religious faith practitioners, religious or faith based organisations and academics (particularly historians, and theologians).

## **1.2 Literature Review**

A bibliographical search of existing primary and secondary source material and media publications relevant to this research topic revealed that there is little written on the Sikh Gurdwaras Act, 1925 from a theological perspective. There is however much discourse written in English (the majority of the authors being Punjabi academics) on surrounding and relevant topics to the Act such as: the role of the Gurdwara in the Sikh *Dharam*; the history, significance and management of Gurdwaras; the Gurdwara Reform Movement (1920-1925); the Sikh Gurdwaras Act 1925; the SGPC and the SAD; the role of politics in the Sikh *Dharam*; and on institutions of leadership within the

Sikh *Dharam*. This literature review lists the works surrounding these topics and analyses key publications.

### **1.2.1 Primary sources**

The most important primary sources approached for this study are the Sikh Sacred Scriptural texts, detailed discussions of which are undertaken in section 1.3.2.

The relevant legislation relating to the Gurdwara Reform Movement, Gurdwara management, Gurdwara legislation and on the Sikh leadership institutions the SGPC and the SAD, that was consulted for this study was accessed online frequently between 2004 - 2010. It includes the *Sikh Gurdwaras Act, 1925* (at <http://www.punjablaws.gov.pk/laws/33.html>), the *Delhi Sikh Gurdwaras Act, 1971* (at <http://indiankanoon.org/doc/733461/>) and the *Constitution of India* (at <http://lawmin.nic.in/coi/coiason29july08.pdf>), which are all in English. Relevant judgements and cases relating to the Sikh Gurdwaras Act, 1925 were also consulted: *Achayaraya Jagdishwaranand Avadhuta etc.*

*vs. Commissioner of Police, Calcutta and another*, 1984, AIR 1984 SC 51 (at <http://www.indiankanoon.org/doc/798012/>); *Gurleen Kaur and others vs. State of Punjab and others*, 2008, C.W.P No.14859 (at <http://www.indiankanoon.org/doc/437931/?type=print>); and *Sardar Sarup Singh and others vs. State of Punjab and others*, 1959, AIR 860 1959 SCR Supl. (2) 499 (at <http://www.indiankanoon.org/doc/736467/>).

Further primary source materials which were consulted for this study and used to construct the narrative for the historical evaluation of the Sikh Gurdwaras Act, 1925, include the *Punjab Legislative Council Debates* relating to the creation of the Gurdwara legislation through their reproduction in publications; mainly Ahluwalia (1985) and Hussain (1921). The debates are minuted records of the deliberations held between the British Government and various Sikh organisations and personalities to resolve the Gurdwara Reform Movement and create Sikh Gurdwara legislation. Ahluwalia (1985) also includes official records, study reports, correspondence and speeches of relevant leading personalities, communiqués, resolutions and extracts from the editorials, reviews and comments published by daily newspapers and periodicals of the time of the Gurdwara Reform Movement. Due to the



comprehensive collection of primary source materials collated by these publications and their reproduction of relevant primary source materials relating to the Gurdwara Reform Movement and the Sikh Gurdwaras Act, 1925 in their entirety, it was decided that further interrogation of the reproduced sources by approaching the sources directly, was not required.

### **1.2.2 Secondary sources**

There are numerous secondary sources (specifically books, Journal articles and Newspaper articles) which deal with Gurdwara Management; the Gurdwara Reform Movement; the Sikh Gurdwaras Act; the SGPC and the SAD; the role of politics in the Sikh *Dharam*; and Sikh leadership in a variety of ways which shall now be discussed respectively by topic.

### 1.2.2.1 Management of Gurdwaras

The most comprehensive work on the management of Gurdwaras is Gupta's *The Sikhs and Gurdwara System* (1998). Gupta's publication presents the findings of a thorough socio-economic study of how Gurdwaras in Delhi are managed. It traces the growth of the Sikh *Dharam* and the development of its shrines in India to discover the religious systems, affiliations, modes of maintenance, religious hierarchy, modes of succession, action patterns and status and role of people managing them. It analyses the process of change in elements of traditions and explores and analyses the causes and consequences of the ongoing institutionalisation of Gurdwaras.

The information on the formation of Gurdwaras, their institutional role, the religious background of those in positions of management and the factors which influence that management provide some historical context for this study. Similarly, the exploration of the history of Gurdwara management, the socio-economic structure of Gurdwaras, different modes of management and also changing patterns of values and attitudes towards Gurdwaras is useful background and contextual

information for this study. However, the results and findings have limited application due to their specific focus on Delhi and the Sikh communities there. Other Gurdwaras, congregations and communities have variable nuances and characteristics depending on their location.

Gupta's template of enquiry does however provide a basic framework for future socio-economic research to be conducted on Gurdwara management internationally. Gupta examines what percentage of the people managing the Gurdwaras possessed spiritual knowledge and experience; excellent record of service; undoubted integrity; and competence for running the shrine (although he does not outline in detail the criteria used for measuring such qualities). His findings were that only 44% of the management teams possessed spiritual knowledge and experience (Gupta, 1998, p.230). He also found that 70% of respondents claimed that there were organisational weaknesses in the Delhi Sikh Gurdwara Management Committee (Gupta, 1998, p.238). However, the cause for this lack of spiritual knowledge, experience and organisational weaknesses, have not been discussed by Gupta. The historical and theological evaluation of the Sikh Gurdwaras Act, 1925

undertaken by this study aims to explore the causes of these issues in more depth.

Professor Devinder Singh Chahal's 'Gurdwara: Crucible for moral grandeur' (1998) and Helweg's 'The Gurdwara and the Sikh Diaspora' (2003) are articles which document the history and significance of Gurdwaras in the Sikh Dharam throughout the times of the ten Gurus. However, they fail to provide any analysis or specific context to the Gurdwara Reform Movement. An authoritative, thorough and historically useful article is Gurdarshan Singh Dhillon's 'Gurdwaras in Sikhism' (2000b). Although it discusses historical factors in Gurdwara management, the article does not however mention legislation surrounding Gurdwaras or the impact of such legislation on Gurdwaras as this study does.

There are a number of other relevant articles available on the management of Gurdwaras which highlight occurring problems in Gurdwara management such as: political interests, corrupt elections, problems with management committee structures and factionalism. These include 'On the politics of Gurdwaras' (I. J. Singh, 2000); Khaira's

‘Sikh Gurdwaras: Problems and Possible Solutions’ (2000) and Ranjit Singh’s ‘Management of the Sikh Gurdwaras’ (2001). The articles are however lacking in substance because they are very speculative, condemning in nature and fail to address the causes of the problems or to draw upon comprehensive arguments for reform; something which this study intends to do by drawing upon teachings in the Sikh Sacred Scriptures.

#### **1.2.2.2 Gurdwara Reform Movement (1920 – 1925)**

There is a plethora of secondary source material in Punjabi and English which provides historical and political narratives on the Gurdwara Reform Movement (1920-25).

One of the most authoritative and comprehensive sources on this topic is the landmark publication by Sahni, *Struggle for Reform in Sikh Shrines* (1960) which has been adapted or duplicated in many of the other publications in this field. From 1918, Sahni, a retired Professor from Government College Lahore, involved himself in the freedom struggle

being waged against the British Empire. He was deputed by Mahatma Gandhi to visit and report on events at Guru ka Bagh Morcha, Amritsar, in 1921, where Sikhs were engaged in non-violent resistance in a peaceful attempt to regain management of the Gurdwaras that were under British possession. He was also a founding Trustee of the Newspaper, *The Tribune*.

Sahni's work is a meticulous eye-witness account of the Gurdwara Reform Movement and an invaluable source of historical information, which is supplemented with details of court proceedings, SGPC press communiqués, enquiry committee reports and hospital medical reports to give additional substance and authority to his account. The bulk of the work is focussed on describing events spanning from 1916 to 1925 but it also introduces the concept of the Gurdwara and briefly touches upon various historical factors affecting Gurdwara management. This makes it an extremely unique and authoritative source to draw upon for setting the historical context for this study and from which to discuss the factors leading to the Gurdwara Reform Movement.

Although Sahni's work is useful when providing some of the historical context for this study, it is not directly applicable to the evaluation which this study engages in. Much of the detail given by Sahni about key personalities of the Gurdwara Reform Movement and the minute-by-minute accounts of key events is invaluable, but it is not analytical in nature, or always relevant in determining the factors leading to the creation of the Sikh Gurdwaras Act, 1925, or the genesis of the SGPC and the SAD. There is also a considerable gap in the work which jumps from 1923 to 1930 in the final chapters. The historical narrative constructed in this study will engage in extracting the factors leading up to the creation of the Sikh Gurdwaras Act, 1925; the SGPC and the SAD; and the implications and consequences of the Gurdwara legislation which is lacking in Sahni's work, therefore adding to the research lacking in this area.

*A History of Sikh Politics and Gurdwara Reforms* by Ahluwalia (1990) also provides an exhaustive, detailed account of the Gurdwara Reform Movement and events which led to the formulation of the Gurdwaras Act in 1925 including descriptions of the phases of the Akali agitation. Other narratives of the Gurdwara Reform Movement are Teja Singh's

*The Gurdwara Reform Movement and the Sikh Awakening* (2000) and *Sikh Separatism. The Politics of Faith* by Kapur (1986). However all these publications are focused on analysing the political role of the Akalis in the Gurdwara Reform Movement.

Teja Singh's study is an eye-witness account and a detailed study of the short term events leading up to Gurdwara Reform Movement pre 1922. It explains the rise of political consciousness and the beginnings of the Akali movement. The work is therefore limited in determining the factors leading up to the Sikh Gurdwaras Act, 1925. Kapur's work is a sociological study aimed at determining the evolution of contemporary Sikh identity, communal consciousness and its impact on the social and political activity of Sikhs. His work also examines in detail the demands and agitations launched by the Akali Dal around the Indian Independence Movement in 1947, therefore making it more applicable to post-partition analysis than to the time-frame focused on in this study.

There are many other publications in this field which detail the Akali Movement in particular. The Punjabi works are: Josh's *Akali Morchian*



*da Ithihas* (1977) and Partap Singh's, *Gurdwara Sudhar Arthat Akali Lehar* (1983). The English works are: *Politics of the Central Sikh League* by Bal (1990); *Minority Politics in the Punjab* by Nayar (1966); *The Akali Movement* by Mohinder Singh (1997); and *Sikh Politics, 1920 – 40* by Tuteja (1984) which will now be discussed in more detail.

Bal's work covers the decade of 1919 – 1929, focusing specifically on the activities of the Central Sikh League since it was founded in 1919. Bal looks at the role of the Central Sikh League intensifying the Gurdwara Reform Movement, before the creation of the SAD or the SGPC, claiming that it was the Central Sikh League which brought these two organisations into being and encouraged the Akalis to reform the Gurdwaras and supplemented their actions. The work however does not consider the factors leading up to the Gurdwara Reform Movement or its outcomes, but instead dwells on Gandhi's non cooperation movement and relationship with Congress.<sup>1</sup>

Mohinder Singh's *The Akali Movement* refers to a plethora of primary source materials relating to the Gurdwara Reform Movement which are

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<sup>1</sup> 'Congress' refers to the Indian National Congress, a political party in India since 1885. It was the leader of the Indian Independence Movement and after independence in 1947, it became the most dominant political party.

relevant to this study. However, the account is again provided through the lens of the Akali's implications on Indian nationalism, their relationship with Congress and the leadership they provided for the Independence movement rather than highlighting the long-term factors leading to the Gurdwara Reform Movement or its consequences. Similarly, Tuteja's *Sikh Politics* analyses the relationship between the Sikhs and the British; and between the Sikhs and Congress. He highlights the role of Sikhs in the political evolution of modern India, but only two of the chapters are dedicated to the Gurdwara Reform Movement. The political and historical narrative given from 1920 – 1940 is not dedicated to the evolving role of the SGPC in Gurdwara legislation, or to the outcomes of the Gurdwara Reform Movement. This study will provide a historical narrative of the Gurdwara Reform Movement highlighting both the long and short term factors leading specifically to the Sikh Gurdwaras Act, 1925 and the role that the SGPC and the SAD specifically played in Gurdwara legislation, which these works fail to address.

Nayar's *Minority Politics in the Punjab* is the most monumental work in this field. It analyses the different forces for and against the Sikh

demand for a 'homeland' in the 1950s-60s and discusses the importance of Akali control over the SGPC in this context. Although the work is post Gurdwara Reform Movement in this respect and focuses on a different Sikh struggle, Nayar's analysis of the strategic role of Sikh religious symbols in the mobilisation of the Sikh masses and his analysis of the links between the Sikh *Dharam* and Punjab politics are themes which are relevant to this study. He also discusses the religious resources of the SAD and the SAD's relationship with Congress, which this study draws upon to illustrate some of the consequences of Gurdwara legislation. Nayar does not however engage in a theological discussion of the role of politics within the Sikh *Dharam* or use a theological basis from the Sikh Sacred Scriptures to explore the Gurdwara Reform Movement and Gurdwara legislation. This study will therefore add significantly to the discourse on the Gurdwara Reform Movement which Nayar failed to address in his work.

Tai's 'Assuaging the Sikhs - Government responses to the Akali Movement' (1995) is an article which addresses the Gurdwara Reform Movement but again it also focuses on the role of the Akalis in Punjab politics. Furthermore, it does not consider the role of Akali politics

within the context of the Sikh Gurdwaras Act, 1925; the relationship of the SAD with the SGPC; or the teachings of the Sikh *Dharam* on politics within the Sikh Sacred Scriptures. These are all issues which this study addresses, thereby going beyond and adding to the articles available in this field.

There are also autobiographies and biographies of historical personalities that provide an insight into the Gurdwara Reform Movement, for example: *Illustrious Hero of the Akali Movement. Jathedar Bhai Kartar Singh Jhabbar. The Life and Times* by Narayan Singh (2001) and a translation of the *Autobiography of Bhai Sahib Randhir Singh* by Trilochan Singh (1995). The usefulness of these biographies is however limited as they only focus on the personal experiences of certain individuals and the particular struggles that those individuals were involved in. They do not evaluate the factors causing the Gurdwara Reform Movement, or the implications and consequences of it in the long term as this study does.

### 1.2.2.3 Sikh Gurdwaras Act, 1925

There are three works on the Sikh Gurdwaras Act, 1925 by Dr. Kashmir Singh which are: *Law of Religious Institutions: Sikh Gurdwaras* (1989); *Sikh Gurdwara legislation. All India Perspective* (1991); and *Commentary on the Sikh Gurdwaras Act, 1925* (2004a). Although there is some overlap in the content of these works, they are invaluable resources for understanding and analysing the Sikh Gurdwaras Act, 1925. All three works annotate and explain the content and clauses of the Gurdwara legislation, as well as their constitutional validity. In addition, the *Commentary on the Sikh Gurdwaras Act, 1925* (2004a) includes useful background notes on previous legislation before the Gurdwaras Act was finalised in 1925 (specifically on the *Sikh Gurdwaras and Shrines Bill, 1921* and *Sikh Gurdwaras and Shrines Act, 1922*). This information assists in determining the genesis and factors affecting the content of the final Sikh Gurdwaras Act, 1925 which this study aims to highlight through the historical evaluation.

Dr. Kashmir Singh's *Law of Religious Institutions: Sikh Gurdwaras* (1989) traces and analyses the various legislation that has applied to

Gurdwaras such as the *Sikh Gurdwaras and Shrines Bill, 1921*; the *Nanded Sikh Gurdwara Sachkhand Sri Hazur Abchal Nagar Sahib Act, 1956*; the *Delhi Sikh Gurdwaras Act, 1971*; and the *Jammu and Kashmir Sikh Gurdwaras and Religious Endowments Act, 1973*. His discussion about these legislations provides a useful context for Gurdwara legislation, but for the period post Gurdwara Reform Movement, not specifically for the 1925 Act. Dr. Kashmir Singh's *Sikh Gurdwara legislation. All India Perspective* (1991) discusses the considerations and attempts for an all India Gurdwara legislation post 1925 in more detail. The work is however now outdated due to the various attempts since its publication for All India Gurdwara legislation (such as the *All India Gurdwara Bill, 1999*) which it does not consider.

Dr. Kashmir Singh's works which contain commentary and critical analysis of the various clauses of the Sikh Gurdwaras Act, 1925, in particular the *Commentary on the Sikh Gurdwaras Act, 1925* (2004a), are very relevant to this study and his publications have been referred to as a basis and framework for evaluating the Act. This study however intends to move beyond the analysis given by Dr. Kashmir Singh by engaging in a theological evaluation of the content and implementation

of the Sikh Gurdwaras Act, 1925, by using teachings from the Sikh Sacred Scriptures.

Furthermore, although Kashmir Singh's works introduce a broader perspective on the legislation, document amendments to the legislation and note the evolvement of Gurdwara legislation from 1925 to 2004, the work has become outdated because Gurdwara legislation is an ongoing and evolving topic. Furthermore the in-depth analysis is not carried out on legislation post-1925, but only referred to in discussion.

*Perspectives on Sikh Gurdwaras Legislation* by Gandhi (1993), although not as comprehensive as Dr. Kashmir Singh's work, also analyses the Act and the proposed amendments to it in its aftermath (including Sikh Gurdwara legislation after partition in 1947 and the issues surrounding 'all – India' Gurdwara legislation). Gandhi's work does have use as a basis for historical narrative as he states in his introduction that in addition to consulting the legislation, he has also used other primary source material such as Punjab Government Gazettes, proceedings of the Legislative Council Debates, District Gazetteers, Gurdwara Gazettes, Reports of the Punjab Government, and proceedings of SGPC

meetings. The context and issues which Gandhi introduces are not confined to the 1925 legislation, but they are nevertheless relevant to this study because of his discussions on: the implications and consequences of the initial 1925 legislation; the political problems and personalities surrounding the genesis of the 1925 Gurdwaras Act and its future revisions and amendments; and the debates surrounding the possible introduction of an all-India legislation. His work is however only a historical narrative surrounding the creation of Gurdwaras legislation and is not a detailed analysis of the content of it like Dr. Kashmir Singh's. This study again intends to move beyond the scope of these works by evaluating the historical factors from within the narration which led to the creation of the Sikh Gurdwaras Act, 1925 and then building on the historical context to engage in a theological evaluation of the Act.

In addition to these works, there are also several articles on the Sikh Gurdwaras Act, 1925, many of which address the Act's religious implications and consequences. Of particular note are Patwant Singh's 'Implications of Gurdwara Legislation' (2000) and Dr. Kuldip Singh's 'The Gurdwara Act of 1925: Great Panthic Achievement – the other



perspective; marginalisation of the Sri Akal Takhat<sup>2</sup> Institution' (2006). Dr. Kuldip Singh's article attributes the deterioration in the quality of Sikh leadership and institutions of authority (with particular reference to the Akal Takhat, the seat of temporal authority in the Sikh *Dharam*), post 1925, to the lack of emphasis given to the role of the *Jathedar* (head Priest) of the Akal Takhat in the Sikh Gurdwaras Act, 1925. It does not however develop the argument comprehensively by analysing the content of the legislation, by engaging in a theological evaluation, or by looking at the various factors which contributed to the creation of the Act, which this study covers.

Several articles regarding the role of the Guru Granth Sahib in the Sikh Gurdwaras Act, 1925, have also been written by Dr. Kashmir Singh: 'Gurdwara and the Aad Guru Granth Sahib: A legal perspective' (2002); 'Sri Guru Granth Sahib – a Juristic Person' (2004b) and 'Sri Guru Granth Sahib and Sikh Gurdwaras Act, 1925' (2004c). All these articles provide an interesting perspective on the role of the Guru Granth Sahib in a political and legal context. The articles however, do not engage in a theological evaluation of the Sikh Gurdwaras Act, 1925, nor do they

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<sup>2</sup> The five Takhts are collectively the seats of authority in the Sikh *Dharam* namely Sri Akal Takhat (Amritsar), *Takhat* Sri Kesgarh Sahib (Anandpur), *Takhat* Sri Harmandir (Patna), *Takhat* Sri Damdama Sahib (Sabo ki Talwandi), and *Takhat* Sri Abchalnagar Hazur Sahib (Nanded).

develop the argument which is explored in this study about Sikh *Dharmic* values and teachings from the Sikh Sacred Scriptures being applied to legislation or Gurdwara management.

Several articles also exist on the perspectives for all-India legislation and proposals for amendments to existing legislation, which complement Gandhi's *Perspectives on Sikh Gurdwara legislation* (1993) and provide an insight into opinions about what is still a dynamic issue in the Sikh diaspora. These include: 'Constitution of India. A Plea for Review of Explanation II to Article 25' by Harbinder Pal Singh (2000); 'The Sikh Gurdwaras Bill, 1999. A Recipe for Disaster' by Balwant Singh (2002); 'All India Gurdwara Bill: A Plea for Reason' by Kharak Singh (2002); and 'Amending Gurdwara Legislation' by Narula (2000). These do not however evaluate any historical factors leading to the Sikh Gurdwaras Act, 1925; nor do they focus specifically on the Act as this study does; or approach the evaluation of the legislation from a theological perspective.

#### **1.2.2.4 The Shiromani Gurdwara Parbandhak Committee (SGPC) and the Shiromani Akali Dal (SAD)**

Part of this study focuses on the SGPC and the SAD within the context of the Sikh Gurdwaras Act, 1925 and the Gurdwara Reform Movement. It also makes reference to the SGPC's relationship and role with the SAD. *Politics of the Central Sikh League* by Bal (1990) and *Sikh Politics (1920 – 40)* by Tuteja (1983) provide historical narratives of the SAD within a broader framework of national politics post Gurdwara Reform Movement. They analyse the role of the SAD in the context of the political evolution of modern India. Therefore, although certain chapters in both these works touch upon the SAD's activities, they do not provide specific details about linkages between the SGPC, the SAD and the Gurdwara Reform Movement which this study provides and evaluates historically. The works also fail to evaluate the existence, role or constitution of the SGPC and the SAD from a Sikh theological perspective, or to look at the genesis of the SGPC and the SAD in the context of the Sikh Gurdwaras Act, 1925 like this study does.

The most comprehensive resource on the SGPC and the SAD is Gobinder Singh's study *Religion and Politics in the Punjab* (1985). Gobinder Singh validates the sources and reliability of his primary source material in his introduction:

We have chosen to study the case of the SGPC keeping in view the fact that it is the most well-organized and powerful single religious institution of the dominant religious community in the State and that it has well preserved stocks of record which could provide abundance of authentic data (Singh, Gobinder, 1986, pp.48-49).

Gobinder Singh's study is the only authoritative study of its kind and discusses the dual religious and political role of the SGPC, as it has evolved, in detail. It enquires into the nature of interaction of religion and politics in the Punjab, focusing on the interplay between the SGPC and the various structures of the political system at the State and Central levels (the parliament, state legislature, council of ministers, bureaucracy, political parties, local government institutions and the masses). It also historically documents the genesis of the SGPC; its

institutional framework; its interaction with the Indian government; socio-economic profiles of its members; its linkages and value patterns with the Sikh masses; its political projection; and its religious, structural, economic and cultural demands. Furthermore it also analyses the role of the SAD within the SGPC; and the SAD's coalitional, constitutional, administrative and electoral strategy.

Gobinder Singh's ultimate argument is that religious institutions and organisations such as the SGPC claim moral authority over a segment of the Punjab population and also control material resources which are susceptible to unfair use for political advantage. He goes on to explain that such institutions are controlled by democratic bodies of the laity elected on patterns of political organisations. He concludes that it is these people who rise to the status of the religious elite and hold positions of leaders, although their motivations and objectives are political. His study analyses in detail the types of linkages these leaders develop and maintain with the political elite in their individual and corporate capacities and on what issues (religious, political or economic), they solicit mass support for their electoral purposes.

The hypotheses, which were tested and proved throughout Gobinder Singh's study were that the members of the SGPC are mostly drawn from a relatively higher socio-economic stratum of the society; that these members are politically orientated and power motivated, tending to use the SGPC as a stepping-stone to higher political positions; and that the power motivations of the SGPC members make them attach greater importance to the political linkages than to the religious ones. Gobinder Singh argues that the SGPC's goals are secondary to the interests of the dominant party in it (the SAD) and that the SGPC aims to achieve its goals with the support of the SAD. He states that this not only illustrates how the SGPC cooperates with political authorities, but also how it serves as a source of conflict because each member of the SGPC is controlled by different political parties directly or through the instrumentality of the political regime. He speculates that political parties aim to strengthen their respective support bases by utilising the SGPC's material and moral resources or by trying to prevent the dominant party from taking similar advantages for itself.

References have been made in this study to Gobinder Singh's study due to its exhaustive and thorough content which illustrates the long-term

implications of the Sikh Gurdwaras Act, 1925 for the SGPC and the SAD. A primary source investigation on this scale was not viable to conduct or duplicate for this study. It was thus decided that the conclusions drawn by Gobinder Singh were substantial and authoritative enough to draw upon as examples to substantiate points made in the theological evaluation conducted by this study.

Although Gobinder Singh analyses the SGPC on a micro and macro level using over 15 years of primary source material from the SGPC archives (1966 – 1981), as well as taking historical background into context, it still has limitations and a different focus to this study. In particular he only highlights the post-reorganisation period following independence (post 1966) and does not address the factors leading to the original creation of the SGPC or the SAD through the Gurdwara Reform Movement or Sikh Gurdwaras Act, 1925 which this study does. It therefore lacks any analysis on the short-term impact of the Gurdwara Reform Movement on the SGPC and the SAD; the short-term impact of Gurdwara legislation on the SGPC and the SAD; or on how the SGPC and the SAD have evolved since 1925 and how their roles have evolved comparatively over time. The work also fails to address

in detail their legal status and jurisdiction specifically in the field of Gurdwara management. Furthermore, Gobinder Singh does not engage in any theological evaluation, which this study engages in. This study also refers to the political roles of the SGPC and the SAD, but it analyses their roles from a theological perspective using the Sikh Sacred Scriptures, an angle which Gobinder Singh does not address even though he refers to their religious context.

Although not as comprehensive as Gobinder Singh's study, *Minority Politics in the Punjab* by Nayar (1966) and *Political Dynamics and Crisis in Punjab* edited by Wallace and Chopra (1988) also contain chapters focussing specifically on the political role of the SGPC. Relevant chapters which make reference to the SGPC are: 'Religious and Secular politics in the Punjab' by Paul Wallace; 'Chief Khalsa Diwan – an analytical study of its perceptions' by Surjit Singh Narang; 'A study of the SGPC elections March 1979' by Surinder Suri and Narinder Dogra; 'Pressure group politics in the Punjab, the case of the SGPC' by Gobinder Singh; 'System, process and popular ethos: a study in contemporary politics in Punjab' by J. S. Gandhi; and 'Akali politics - Emerging compulsions' by Harish K. Puri. However, none of the



chapters use the Sikh Sacred Scriptures to evaluate the SGPC or the SAD from a theological perspective; nor do they look at the role or function of the SGPC and the SAD in relation to the Sikh Gurdwaras Act, 1925. This study will therefore add to the discourse lacking in this area.

#### **1.2.2.5 Role of politics in the Sikh *Dharam***

Although extremely overlapping and almost identical in content, publications which focus on the role of politics in the context of teachings from the Sikh Sacred Scriptures are *Social and Political Philosophy of Guru Nanak Dev and Guru Gobind Singh* by Deol (1976); *Political Ideas of the Sikh Gurus* by Gurdeep Kaur (1990); *Guru Nanak: Ideals and Institutions* by Madanjit Kaur (1998); *Sikh Polity and Political Institutions* by Nayyar (1979); *Political Philosophy of the Sikh Gurus* by Kanwarjit Singh (1989); and *Perspectives on Sikh Polity* by Kehar Singh (1993).

All these works provide an interesting introduction into what the teachings of the Sikh Sacred Scriptures say about the role of politics and how those teachings can be applied to political practice, but they do not employ a comprehensive approach of the Sikh Sacred Scriptures and their conclusions are not applied to any historical scenarios or organisations in particular. This study not only interprets the Sikh Sacred Scriptures directly to establish Sikh teachings relevant to the role of politics within the Sikh *Dharam*, but also applies them specifically in a theological evaluation of the Sikh Gurdwaras Act, 1925.

There are many discourses on the role of politics within the Sikh *Dharam*. The *Akal Takhat Sahib* by Dilgeer (1995); *The Akal Takht<sup>3</sup> and other seats of Sikh polity* by Duggal (1995); and *Parasaraprasna. The Baisakhi of Guru Gobind Singh* by Kapur Singh (2001) analyse the history, significance and role of the Akal Takhat in shaping Sikh politics. This study however, will not only focus on the role of the Akal Takhat or only address the role of politics within the Sikh *Dharam*, but will apply the teachings on the role of politics found by a theological evaluation through the Sikh Sacred Scriptures. The themes that this theological

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<sup>3</sup> Seat of temporal authority in the Sikh *Dharam*. Duggal (1995) uses 'Takht' as an alternative English transliteration of 'Takhat', although the latter is a more common spelling which is used in this study unless being cited.

evaluation will be applied to are broadly the Gurdwara Reform Movement; the Sikh Gurdwaras Act, 1925; the creation of the SGPC and the SAD; and the constitution, role and actions of these two organisations (the SGPC and the SAD).

There are also an abundance of articles on Sikh politics, including: 'The conception of polity in Sikh religion' by Ahluwalia (1989); 'Guru Nanak's concept of values' by Jaswinder Kaur Dhillon (1974); 'Religion and Politics: the Sikh Perspective' by Gurdarshan Singh Dhillon (1989); 'Social Responsibility in Sikh Philosophy' by Mehrotra (2003); 'The role of Miri Piri in modern society' by Narang (1996); and 'Sikhism and Temporal Authority' by Kharak Singh (1997). Similar to the other publications in this field, the articles do not apply the principles extracted after analysing the role of politics in the Sikh *Dharam*, to the Gurdwara Reform Movement, the Sikh Gurdwaras Act, 1925, or to the SGPC and the SAD in the manner which this study does, nor do they engage comprehensively in a theological evaluation through the teachings within the Sikh Sacred Scriptures.

### 1.2.2.6 Sikh leadership

There are many generalised, speculative and sometimes personal discourses on leadership within the Sikh *Dharam* which make reference to the SGPC and the SAD in books, and Journal articles (both scholarly and popular).

The only Western academic to have offered a view on Sikh institutions and Sikh leadership is Gerald N Barrier through his chapter 'Authority, Politics and Contemporary Sikhism. The Akal Takhat, the SGPC, Rahit Maryada and the Law' in *Sikhism and History* (Singh, Pashaura and Barrier, (eds.), 2004). The chapter refers to organisations of Sikh leadership such as the SGPC and the SAD, but only briefly introduce them. It does not provide a specific in-depth discussion about the SGPC, the SAD, Sikh leadership or Sikh management institutions within the context of the legacy left by Gurdwara Reform Movement or the 1925 Gurdwara legislation, which this study intends to address.

Articles which address the topic of institutional reform in the Sikh *Dharam* are 'Principles and policies for the reform of the Khalsa

Organisations' by Bandyopadhyay (1980); 'Reforms – SGPC' by Grewal (2005); 'Institutional Failure within Sikhism' by Brig. Hardit Singh (2001); 'Panthic Unity: Let Good Sense Prevail' by Professor Jagmohan Singh (2003); and 'Towards Self Governance: Akal Takht and related Issues' by I. J. Singh (2001). These articles are however very short and lack comprehensive solutions derived from Sikh theology, which the theological evaluation in this study provides a basis for.

Articles which specifically address leadership in the Sikh *Dharam* are 'Religious head should be selected: Sikh scholars' (no author specified, 2005); 'Crisis of Leadership in the Akali Dal' (Dhillon, 2000a); 'Authority in the Sikh Panth. Then and Now' by Lamba (2008); 'Balbir Singh Budha Dal chief: Vedanti' by Mohan (2001); 'Panthic Leadership and Moral Values' by Gurdev Singh (2000); 'Collective authority of the Panj-Piaras and Sikh Takhts and Jathedars' both by Brig. Hardit Singh (2000 and 2002 respectively); 'Akal Takht Jathedar: A view from America' by I. J. Singh (2003); and 'Five Takhts of Sikhs and the Jathedar Sahiban' (2000) by Major General Dr. Jaswant Singh. These articles only shed light on events in the SGPC over the last fifteen years and do not engage in the historical context surrounding the genesis of

the SGPC and the SAD in the context of the Sikh Gurdwaras Act, 1925, which the historical evaluation in this study does. They also include many personalised comments which are accusatory in nature towards the institutions of the SGPC and the SAD and their members.

Although all the articles provide an insight into popular opinion from the Sikh diaspora about the SGPC and Sikh leadership, they are not substantially researched, nor do they offer any viable suggestions for improving Sikh leadership, for taking reform of their institutions forward, or what such reforms and improvements should be based on. The historical and theological evaluation in this study will provide an impetus for moving such discussions forward by suggesting that the theological teachings from the Sikh Sacred Scriptures should be a basis for such institutional reform and improving Sikh leadership.

### **1.2.3 Media**

Popular Sikh newspapers were also consulted as they provided valuable information about the Gurdwara Reform Movement, and the

current affairs of the SGPC. All articles were however approached critically due to possible bias and political agendas of authors and publishers. The archives of weekly Punjabi publications were widely available and established titles consulted included: *Ajit*; *Awaze Quam*; *Des Pardes*; and *The Tribune* which were searched for relevant articles from the 1920s until the present day. The UK newspaper *The Sikh Times* was also consulted.

#### **1.2.4 Findings of Literature Review**

From the analysis of existing literature relevant to this study, it is evident that much research has been conducted on the history, significance and management of Gurdwaras; the Gurdwara Reform Movement (1920-1925); the Gurdwaras Act 1925; the SGPC and the SAD; the role of politics in the Sikh *Dharam*; and on institutions of leadership within the Sikh *Dharam*. However, it has also revealed that existing historiographies on the Gurdwara Reform Movement are written from perspectives which do not focus on the factors leading to the creation of the Sikh Gurdwaras Act, 1925 in particular, or which

specifically address the existence of the SGPC and the SAD in the context of the Gurdwara Reform Movement and subsequent Gurdwara legislation (the Sikh Gurdwaras Act, 1925). This is something which this study will address by engaging in the historical evaluation of the Sikh Gurdwaras Act, 1925.

The literature review has also highlighted there is very little material directly focusing on the Sikh Gurdwaras Act, 1925 itself in depth and that there is a distinct lack of analysis on the Sikh Gurdwaras Act, 1925, with regards to its impact on the SGPC and the SAD; and on its content, workings and implementation. This study will therefore contribute by filling a gap in the existing narratives on this topic by evaluating these issues from a theological perspective through an interpretation and application of the Sikh Sacred Scriptures. It will be novel because it will not rely solely on current interpretations of Sikh theology which address political, social and leadership ideals, but will approach the primary sources of the Sikh Sacred Scriptures directly, in order to draw interpretations (further discussion to follow in section 1.3.2).



The study will add a significantly original perspective to the present discourses on the Gurdwara Reform Movement, Gurdwara legislation, Gurdwara management and on the SGPC and the SAD as institutions of leadership within the Sikh *Dharam*. The study will also add another dimension to current studies which only focus generally on the role of politics and leadership in the context of teachings from the Sikh Sacred Scriptures because the findings from the Sikh Sacred Scriptures will be applied specifically to the Sikh Gurdwaras Act, 1925 in its evaluation.

### **1.3 Methodology**

Whilst undertaking this study, the tools of historical research and evaluation were applied in order to make a 'rational attempt at analysis' (Bloch, 1954, p.13) in assessing the genesis of the Sikh Gurdwaras Act, 1925 and the creation of the SGPC and the SAD. The historical method was used to evaluate, illuminate, provide understanding of and interpret the genesis and consequences of the Act.

All historical sources were analysed to determine their significance (this includes evaluating the author's religious and political background, when the source was written, the historical and political circumstances surrounding the date of publication, the institute of publication and what the purpose of the publication was). However, it is the interpretation and application of teachings from the Sikh Sacred Scriptures in this study, which provides for a unique and relevant theological evaluation of the content, workings and implementation of the Sikh Gurdwaras Act.

The majority of the literature used was accessible through Gurdwaras and libraries in the UK and on the internet. However, library and archived material at Guru Nanak Dev University, Amritsar, India, which has a Sikh Studies Department, was also used to access works which are not available in the UK. For some sources there is an omission of authors, or dates and places of publications because they were not available.<sup>4</sup>

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<sup>4</sup> This is the reason for any incomplete references in the Bibliography.

### **1.3.1 The use of the Sikh Sacred Scriptures**

The use of the Sikh Sacred Scriptures as primary sources for the basis of the theological evaluation of the content, workings and implementation of the Sikh Gurdwaras Act, 1925 is now discussed and the methodology used in approaching them is also explained. For example, issues of personal bias and an exploration of applicable hermeneutical theories are also explored.

The theological evaluation through the Sikh Sacred Scriptures in this study is essential. The reasons for using the Sikh Sacred Scriptures as the blueprint for extracting Sikh values from and for evaluating the Sikh Gurdwaras Act, 1925 are because Sikhs revere the notion of 'Guru-Granth'; the Word contained within the Sikh Sacred Scriptures is considered to be of Divine origin; the Guru Granth Sahib is accepted to be the ultimate authority for Sikhs; and because there is a logical obligation for those who identify themselves as Sikhs to practically apply the doctrines and values contained within the Sikh Sacred Scriptures (which applies to Gurdwara management, Gurdwara legislation and Sikh institutions of leadership and management).

### 1.3.1.1 The Granth as Guru

Ultimate authority for Sikhs was invested in the Guru Granth Sahib perpetually, eternally and permanently by the tenth Guru in 1708:

It is a Divine Order for every Sikh to obey the Granth as the Guru. Have faith in the Holy Granth as your Master and consider it the visible manifestation of the Guru. He who hath a pure heart will seek guidance from its Holy Word (composition of Guru Gobind Singh in Singh, Harbans (ed.), 1998, p.245).<sup>5</sup>

Bhai Nand Lal, who was at Nanded in the camp of Emperor Bahadur Shah as one of his ministers at the time of Guru Gobind Singh's passing on, recorded the Guru's last words in the following verse:

He who would wish to see the Guru, Let him come and see the Granth. He who would wish to speak to him, Let him read and reflect upon what says the Granth. He who would wish to hear his (the Guru's) word, He should with all his heart read the

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<sup>5</sup> The English translation of a couplet by the tenth Guru, Guru Gobind Singh, which has been passed down through oral history and is recited by Sikhs after a formal supplication.

Granth, or listen to the Granth being read (in Singh, Harbans (ed.), 1998, p.245).

Devaaraja Sharma's Nanakacandrodayamahakavyam, also records Guru Gobind Singh's proclamation that:

The Granth, which itself is the doctrine of the Guru, shall be your teacher. This is what you should see; this is what you should honour; this is what should be the object of your discourses (in Singh, Harbans (ed.), 1998, p.245).

The Sikh Sacred Scriptures are revered by Sikhs as the eternal embodiment of the Guru. The place and function of the Sikh Sacred Scriptures is therefore unique whereby a human Guru founder, followed by a series of human Gurus living parallel with a collection of Sacred Scriptures, ended in a breaking of the human succession and the Sacred Scriptures attaining full authority as Guru (Singh, Pashaura, 2000, p.265).

Nevertheless, in her essay 'Thinking Differently in the context of the Sikh Religion', Nikky-Guninder Kaur Singh emphasises that the Guru Granth Sahib, is to be understood not as the soul of the Gurus, but literally as the body:

In the Sikh instance the Granth is literally the Guru. During all their liturgical prayers Sikh commemorate the identity between the Guru Granth and the manifest body (*deh*) of the Gurus as the congregation recites in unison...: "Know Guru Granthji as the manifest body of the Gurus; Those whose hearts are pure find it in the word". It is from this body that generations of Sikhs are begotten, aesthetically honed, and psychologically, socially, and spiritually sustained (in Cheetham and Rolfe (eds.), 2008, p.123).

Therefore, as the Guru Granth Sahib is revered as a living and Eternal Guru, Sikhs believe it has the ability and authority to perpetually and eternally perform the roles and functions of a living Guru which include bestowing blessings and grace; providing spiritual enlightenment; transforming individuals; and cultivating Divine qualities to move one closer to uniting with God.

The personal Guruship was ended by Guru Gobind Singh himself. Succession passed to Guru Granth Sahib in perpetuity...It was acknowledged as the revelation descended through the Gurus. It was for the Sikhs the perpetual authority, spiritual as well as historical. They lived their religion in response to it...It was central to all that subsequently happened in Sikh life. It was the source of their verbal tradition and it shaped their intellectual and cultural environment. It moulded the Sikh concept of life. From it, the community's ideals, institutions and rituals derived their meaning (Singh, Harbans (ed.), 1998, p.24).

#### **1.3.1.2 The Divine origins of the Guru's Word**

It is the Guru's Word (also termed *Shabad Guru*) that is embodied within the Guru Granth Sahib and revered as the 'living', Eternal Guru. However, the Word contained within the Sikh Sacred Scriptures is not only considered to hold the same authority as the Guru; but the Word

of the Gurus is also considered to be the Word of God, therefore carrying even further Divine authority for Sikhs.

In order to appreciate this, there is need to understand the interchangeable nature between God, the Guru and the Guru's Word (which is also described as God's Word):

Since the day Guru Gobind Singh invested succession in it, Guru Granth Sahib has commanded the same honour and reverence as would be due to the Guru himself. It is the focal point of Sikhs' devotion (Singh, Harbans (ed.), 1998, p.24).

Therefore in one context, as in Guru Ram Das's prophetic description of the Guru Granth Sahib, it is stated that the *Bani* (the Word) is in fact the Guru and that both the Word and the Guru are one and the same:

*Bani Guru Guru hai bani vich bani amrit saarae,*

*Gurbani kehai saevak jan maanai parathakh Guru nisathaarae.*

The Word, the *Bani* is Guru and Guru is the *Bani*. Within the *Bani*, *Amrit* (the ambrosial nectar) is contained. If His (God's)



humble servant accepts, believes and acts according to the Words of the Guru's *Bani*, then the Guru manifests and instantly emancipates them (Guru Ram Das, Guru Granth Sahib, p.982).<sup>6</sup>

Gopal Singh's explanation of the above verse (Singh, Gopal, 1987, p.938) further emphasises that the Word is actually the 'embodiment' of the Guru and that the Guru is not just the Word, but is also manifest within it. In another context, several quotations explain that although the Guru embodies the Word, the Word is actually being received through the Guru as a medium, directly from God:

*Akharee naam akharee saalaah, Akharee giaan geeth gun gaah.*

*Akharee likhan bolan baan, Akharaa sir sa(n)jog vakhaan.*

*Jin eaehi likhae this sir naahi, Jiv furamaaeae thiv thiv paahi.*

From the Word, comes the *Naam*; from the Word, comes Your Praise. From the Word, comes spiritual wisdom, singing the songs of Your glory. From the Word, come the written words, speech and hymns. From the Word, comes the destiny written on one's forehead of union with God. But the One who wrote these

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<sup>6</sup> See section 1.3.2 for explanation of referencing of Sikh Sacred Scriptures.

Words of destiny - no words are written on His (God's) forehead  
– God is not subject to the words He writes. As He (God) ordains, so do we receive (the Divine Word is being revealed directly from God to Guru Nanak Dev). The created universe is the manifestation of Your (God's) Name. There is no place at all where Your (God's) Name does not pervade (Guru Nanak Dev, Guru Granth Sahib, p.4).

*Sathigur kee bani sath sath kar jaanahu gurasikhahu har karathaa aap muhahukadtaaeae.*

O Sikhs of the Guru, know that the *Bani*, the Word of the True Guru (God), is true, absolutely true. God, the Creator, Himself, speaks through the Guru's Word and causes the Guru to chant it (Guru Ram Das, Guru Granth Sahib, p.308).

*Vaahu vaahu bani nira(n)kaar hai this jaevadd avar n koe.*

*Bani*, the Word, is the formless God – there is no other as great as Him (Guru Amar Das, Guru Granth Sahib, p.515).

*Dhhur kee bani aaee...*

The *Bani* of His Word emanated from God (Guru Arjan Dev, Guru Granth Sahib, p.628).

*Jaisee mai aavai khasam kee bani thaisarraakaree giaan vae laalo.*

Oh Lalo, as the Word of the forgiving God comes to me, so do I express it (Guru Nanak Dev, Guru Granth Sahib, p.722).

In an additional context, it can be interpreted that the Sikh Sacred Scriptures, revered as the Guru, can actually be accorded with Divine and ultimate authority directly from God, because the Guru and God are in-fact described as the same entity:

*Sath purakh jin jaaniaa sathigur this kaa naao.*

The one who knows God, is called the True Guru (Guru Arjan Dev, Guru Granth Sahib, p.286).

*Gur paramaesar eaeko jaan.*

Know that the Guru and the transcendent God are One (Guru Arjan Dev, Guru Granth Sahib, p.864).

*Eih padhhath thae math chookehi rae man bhaedh bibhaedh n jaan beeo.*

O mortal being, do not leave this path; do not think that there is any difference between God and Guru (Bhatt Mathuraa, Guru Granth Sahib, p.1409).

As God's Word, the meanings of the Sikh Sacred Scriptures assume central importance as an ultimate Truth and therefore ultimate authority in the lives of all Sikhs (Singh, Pashaura, 2000, pp.265-266).

*Sathigur kee bani sath sath kar maanahu eio aatham raamai leenaa hae.*

Accept as true, perfectly true, the Word of the True Guru's *Bani*. In this way, you shall merge into God (Guru Nanak Dev, Guru Granth Sahib, p.1028).

*Gur kae bachan sath jee dhhaarahu.*

True are the Words of the Guru's teachings. Enshrine them in your soul (Bhatt Gayandh, Guru Granth Sahib, p.1401).

It can therefore be deduced that the nature of authority which the Sikh Sacred Scriptures holds for Sikhs is threefold - firstly as their Guru (as an embodiment of the human Guru through the Granth); secondly as the Guru's Word (as *Shabad* Guru); and thirdly as a manifestation of Truth and the Divine (God's Word).

#### **1.3.1.3 Qualifying the authority of the Sikh Sacred Scriptures**

McLeod clearly addresses the issue of ultimate authority for religious belief in the Sikh *Dharam*:

Sikhs normally find it (religious authority) by turning to the Guru Granth Sahib and accepting it alone as supreme and absolute authority. Through the scripture the Guru speaks...By maintaining their trust in the Guru which is the Granth, the Sikh people uphold a belief that stands them in abundantly good stead (in Singh, Pashaura, 2000, p.280).

This supports what happened throughout the history of the ten human Gurus (1469 – 1708), whereby the human Gurus were the central focus for the followers within the Sikh community but the scriptural texts also complemented their authority:

Their role (that of the human Gurus) was twofold: They served as the medium for the revealed message and then guided the community accordingly. By the end of the seventeenth century, this divine message to the Sikhs was felt to have reached fruition with the compilation of the *Adi Granth*...the symbolic role of the *Adi Granth* expands to encompass the authority of the personal Guru, as manifested in the new title, Guru Granth Sahib, and the community as a whole (Guru Panth) takes up the authority to interpret the text (Mann, 2001, p.131).

Sikhs firmly believe that Guru Gobind Singh declared the Granth to be the Guru and the text has played the role of and ultimate central authority within the community since then (Mann, 2001, p.129). As the manifest body of the Guru, the Granth is heir to the line of ten personal Gurus, possessing the same status and authority as they did and

commanding the same reverence accorded to each successive Guru. Thus the ultimate authority within the Sikh tradition, for a wide range of personal and public conduct, lies in the Guru Granth Sahib (Singh, Pashaura, 2000, p.281):

...the *bani* or Word of the scriptural text, which received the honorific title of Guru Granth Sahib, was now to be acknowledged as the basis for religious and temporal authority as well as the medium of spiritual knowledge. Sikhs were to live their lives in response to it and it was to be central to all that happened in Sikh life (Shackle and Mandair (eds.), 2005, p.xvii).

Furthermore, this notion is supported by the SGPC, one of the institutions which this study explores. It states in its *Rahit Maryada* (Code of Conduct) that a Sikh is 'any human being who faithfully believes in the Guru Granth Sahib and the utterances and teachings of the ten Gurus' (*Sikh Rahit Maryada*, July, 1997, published by Dharam Parchar Committee, SGPC, Amritsar on the SGPC website; accessed at [www.sgpc.net/rahit\\_maryada/section\\_one.html](http://www.sgpc.net/rahit_maryada/section_one.html), on 17<sup>th</sup> April, 2010).

The SGPC also states the following as one of the main principles of the Sikh *Dharam*:

Guru Granth Sahib is the living embodiment of the Ten Gurus. It is the living flame of the Name, which lights the lamp of the disciple. There is no place for a living Guru in the Sikh religion, because *Gurbani* (Guru's *Bani*) is Guru and Guru is *Gurbani*. After all, what the Guru does is to guide the disciple by means of words, in the same way Guru Granth Sahib guides the Sikh through its song-message ('Sikhism' on the SGPC website; accessed at [www.sgpc.net/sikhism/sikhism2.asp](http://www.sgpc.net/sikhism/sikhism2.asp) on 17th April, 2010).

A Sikh is literally a disciple, learner and follower of the Guru's teachings. Therefore, by definition, a Sikh cannot exist without the Guru.

It can be assumed, for example, that apart from the truly secular all Sikhs will affirm the sanctity of the Guru Granth Sahib. Even



the most ardent of secularized Sikhs will recognize this feature (McLeod, 1989b, p.104).

The Guru Granth Sahib is accepted as the eternal Guru for Sikhs; it is also decreed by the tenth Guru himself that ultimate authority both spiritually and doctrinally is invested in it; and the Word contained within the Guru Granth Sahib is revered by Sikhs as Divine Truth.

As a cultural singularity the concept of *sabda-guru* can be regarded as sovereign because it can be universalized even as it remains singular. Insofar as it represents the difference within Sikh tradition itself, a difference that connects Sikhs and Sikhism to its other, it can be envisaged as the “middle ground” of Sikhism (Mandair, 2009, p.333).

According to these perspectives, the use of the teachings of the Sikh Sacred Scriptures as the basis of the theological evaluation of the Sikh Gurdwaras Act, 1925, therefore gives this study great validity, relevance and applicability to the vast majority of Sikhs and Sikh institutions.

In a general sense there is a routine answer to the question of authority in the *Panth*, one which few practicing Sikhs are likely to dispute. The ultimate authority is the Guru and the objective standard is the Guru Granth Sahib (McLeod, 1989a, p.75).

#### **1.3.1.4 Applying the teachings of the Sikh Sacred Scriptures**

As has been discussed, the Guru Granth Sahib is revered not just as a Sacred Scripture by Sikhs, but as a 'living' Guru teaching a way of life relevant for evolving times. God is described in the Guru Granth Sahib as:

*Aadh sach jugaadh sach.*

*Hai bhee sach naanak hosee bhee sach.*

True in the beginning, true throughout the ages, true here and now (Guru Nanak Dev, Guru Granth Sahib, p.1).

Therefore, it can be interpreted that the same is also true of *Gurbani*, because it is a manifestation of the Guru and God. Ultimately, despite historical context, the teachings contained within *Gurbani* are therefore eternal, relevant and applicable now.

If the doctrine of the mystically-present Guru is to be accepted it must follow that the Guru's guidance continues to be given (McLeod, 1989a, p.75).

Guru Amar Das explained how the Guru's Divine Word (*Gurbani*) is a guiding force for the world:

*Gurbani eis jag mehi chaanan karam vasai man aaeae.*

*Gurbani* is the light to illuminate this world; by His (God's) Grace, it comes to abide within the mind (Guru Amar Das, Guru Granth Sahib, p.67).

As *Gurbani* is a Divine Order, Word is doctrine, and therefore the teachings are not only illuminative but prescriptive:

The *bani* of Sri Guru Granth Sahib is all in the spiritual key. It is poetry of pure devotion, lyrical rather than philosophical, moral rather than cerebral. It prescribes no social code, yet Sri Guru Granth Sahib is the basis of Sikh practice as well as of Sikh devotion. It is the living source of authority, the ultimate guide on the spiritual and moral path pointed by the Gurus. Whatever is in harmony with its tenor will be acceptable; whatever not rejectible. Guidance is sought from it on doctrine, on the tenets of the faith (Singh, Harbans (ed.), 1998, p.248).

However, despite these teachings instructing that the teachings within the Sikh Sacred Scriptures are timeless and illuminative, Nikky-Guninder Kaur Singh highlights that there is 'a terrible incongruity between what we hear Sikhs recite and how they actually put those words into practice' (in eds. Cheetham and Rolfe, 2008, p.124); the 'incongruity' referred to is something which this study addresses.

This study also grapples with and addresses the significant challenge of using a non-legalistic scriptural tradition to address legislative matters in the example of the Sikh Gurdwaras Act, 1925. Gifford (2005) states

that in the Sikh *Dharam*, radical ambiguity persists in the translating of mystical authority into actual decisions (p.391). He goes on to illustrate that in some religions there are evident layers of sacred books, but that this is notably absent in the Sikh *Dharam*:

The Avesta, Qur'an and the Tanakh are recognised in their respective religions as scripture par excellence, but these religions have other texts (respectively the Pahlavi texts, Hadith and the Mashnah) as a subordinate or supporting layer. Historical criticism may reveal that in some cases it is not the primary but the secondary layer that is more authoritative. In entire swathes of India the Mahabharata (especially the Bhagvad-Gita) and the Ramayana are far more significant than the Vedas, even though the former are...scripture par excellence (Gifford, 2005, p.386).

Gifford (2005) goes on to state that communities shape their responses to new needs, but that these responses are portrayed and derived from the resources of the sacred text and that it seems to be an essential element of scripture that it be used in this way (p.386).

Although it has been established that Sikhs turn to the Guru Granth Sahib for authority and guidance in matters regarding doctrine and practice (Nesbitt (2005) points out that historically this method has been used in resolving social and political affairs), 'passages of mystical poetry...require interpretation by fallible humans, who may be distraught or predisposed to a particular understanding' (p.130). This point is also illustrated by McLeod:

Dependence on the individual conscience is likewise unsatisfactory as a means of determining basic principles. For certain personal decisions each individual can claim responsibility (preferably in conjunction with a reading of the Guru Granth Sahib), but not for general issues affecting the fundamental beliefs or normative practices of the *Panth* (McLeod, 1989a, pp.75-76).

Nesbitt also highlights further problems regarding authority with the Sikh *Rahit Maryada*:

The current Sikh *Rahit Maryada* formulated between 1928-1932 and published in 1951, supports Khalsa-style Sikhi, and indicates that authority lies ultimately with the *Panth* and the Granth. But its outline of the practical mechanisms for exercising authority and making an appeal contain no indication of how elections should be conducted, or the proper procedure for managing gurdwaras, or even the remit of the Akal Takhat (Nesbitt, 2005, p.130).

Nevertheless, as Mann (2001, p.136) argues, the fundamental need is for Sikhs to understand and bring into their daily lives the Word of God as enshrined in the Guru Granth Sahib; and that the extent of this practice will define the Guru Granth Sahib's future role in Sikh devotional life. If Sikhs honour and revere the principle of 'Guru-Granth' (also referred to as *Shabad-Guru*), then its teachings should be reflected and embodied within the institutions or legislation which affects Sikh places of worship (such as the Sikh Gurdwaras Act, 1925) and institutions of Sikh leadership (such as the SGPC and the SAD). The Sikh Sacred Scriptures are not a 'human' view, but a Divine message which Sikhs are encouraged to implement:

Underlying new initiatives and discussions is the realisation that authority in Sikhism comes not from institutions that are often battlefields but instead, from within Sikhs themselves. In essence, Sikhs do not need external forces defining their faith and practice, the Guru Granth Sahib combined with common sense and application of ideas will suffice (Singh and Barrier (eds.), 2004, p.222).

### **1.3.2 Methodology for approaching the Sikh Sacred Scriptures**

The Sikh Sacred Scriptures encompass a range of primary sources. Sikh literature begins with Guru Nanak, the first Guru, whose Divine Word (*Gurbani* - the Guru's Word, or original utterance of the Guru) is recorded in the Guru Granth Sahib in the script of *Gurmukhi* (literally meaning from the mouth of the Guru) throughout despite the use of various languages. When compiling the Guru Granth Sahib, the Gurus also included the Sacred Hymns of various Hindu and Muslim Saints, whose Divine message concurred with that of the Gurus.



The *Mohan Pothi* was compiled by Guru Amar Das to provide copies of the Sacred Hymns of Guru Nanak, Guru Angad, Guru Amar Das, Kabeer, Namdev, Jai Dev, Ravidas, Trilochan and Sain for the growing numbers of Sikhs, and to certify their authenticity. Guru Arjan Dev, the fifth Guru added to the *Mohan Pothi* his own compositions, those of Guru Ram Das and those of Sheik Farid, Beni, Ramanand, Dhanna, Bhikan, Sadhna, Pipa, Parmanand and Surdas. This compilation which became known as the *Adi Granth*, was hand-written by Bhai Gurdas, a spiritually enlightened Sikh scribe, in a particular arrangement prescribed by Guru Arjan Dev. A numerical 'security system' was also encoded to prevent unauthorised additions. The *Adi Granth* was installed at Darbar Sahib,<sup>7</sup> Amritsar, India on 1<sup>st</sup> September, 1604.

In 1706, the tenth Guru, Guru Gobind Singh, recited the entire *Adi Granth* through Divine Revelation and had it re-scribed including the hymns of his father, the ninth Guru, Guru Tegh Bahadur within it. This became known as the *Damdama Bir* and was given the status of Eternal

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<sup>7</sup> The most sacred shrine of the Sikhs. Envisioned by Guru Amar Das, planned by Guru Ram Das, and completed by Guru Arjan Dev. Other commonly used terms for the same Gurdwara are Sri Harimandir Sahib and the Golden Temple. This study uses the 'Darbar Sahib' as this is how the Gurdwara is referred to in Gurdwara legislation relevant for this study.

Guru by Guru Gobind Singh, a few days before he left for the heavenly abode. Since 1708, ultimate authority for the Sikhs has been invested permanently in the Sikh Sacred Scripture which became known as the Guru Granth Sahib (see section 1.3.1.1 of this study).

When qualifying the notion of authority, Mann argues that with the arrival of the printing press in the Punjab and the streamlining of the production process in places like Amritsar and Lahore, a concerted effort in producing a standardised text of the Guru Granth Sahib began, culminating in the publication of the authoritative text of the Guru Granth Sahib by the SGPC (Mann, 2001, p.16). The SGPC established its own press in 1949 and produced its first one-volume edition of the Guru Granth Sahib in 1952. In the early 1970s the SGPC released another single-volume edition of the Guru Granth Sahib in which the words were separated from each other (*pad chhed*) in the print. The text gained popularity over the years. Thus, the overall picture is of increasing standardisation in printed form. When the printing press made it possible to reproduce a single widely accessible version of the text, the 'incumbent hegemony' further increased (Mann, 2001). It is this SGPC standardised 1430 page version of the Guru Granth Sahib

that this study approaches for interpretation and application as part of the theological evaluation through the Sikh Sacred Scriptures.

The Dasam Granth is a compilation of the writings of Guru Gobind Singh, also in the script of *Gurmukhi*. Guru Gobind Singh did not include the hymns which make up the Dasam Granth in the Guru Granth Sahib. Therefore, although certain compositions from the Dasam Granth are unanimously revered amongst Sikhs as the Divine Word of the Guru, there are academic debates surrounding its authorship (for example a detailed discussion of the Dasam Granth's contested authorship is addressed in Daljeet Singh's article *Dasam Granth – its history* (1997)); scepticism about who authorised its compilation and when; and its status in relation to the Guru Granth Sahib:

The Dasam Granth enjoyed considerable scriptural authority in the eighteenth and nineteenth centuries as the authentic work of the tenth Guru...But the status of the Dasam Granth began to be challenged when, following the British conquest of the region in the 1840s, the reformist Singh Sabha movement emerged in the

later nineteenth century (Shackle and Mandair (eds.), 2005, pp.xix-xx).

After careful consideration of these debates, it was decided to approach the Dasam Granth as well as the Guru Granth Sahib for this study. To have a comprehensive, complete and thorough evaluation of their teachings the Guru Granth Sahib and Dasam Granth, they were approached in their entirety and not constrained to certain compositions and translations.

Both the Guru Granth Sahib and the Dasam Granth are widely available and accessible in their original *Gurmukhi* form and in English translations. There are various English translations of the Guru Granth Sahib and Dasam Granth available on the internet. Popular websites include: [www.sikhitothemax.com](http://www.sikhitothemax.com), [www.sridasamgranth.com](http://www.sridasamgranth.com), and [www.searchgurbani.com](http://www.searchgurbani.com). There is also an English translation available in four volumes by Dr. Gopal Singh (1987). The most recently published works on the Dasam Granth are: *Sri Dasam Granth Sahib. Text and Translation* (1999) two volumes by Dr. Jodh Singh and Dr. Dharam Singh; and *Sri Dasam Granth Sahib* (2004) four volumes by Surinder

Singh Kohli, which also provides transliteration and translation of the text.

The writings of Bhai Gurdas, a spiritually enlightened poet and scholar from the time of the Gurus (c. 1550 - 1633) are also revered by Sikhs as sacred texts. Bhai Gurdas was the nephew of the third Guru, Guru Amar Das. Bhai Gurdas also scribed the *Adi Granth* under the instruction of the fifth Guru, Guru Arjan Dev. Guru Arjan Dev stated that Bhai Gurdas's own compositions, called *Vaars*,<sup>8</sup> were the 'key' to understanding the Sikh Sacred Scriptures, (it is commonly repeated in Sikh oral history that Guru Arjan Dev offered Bhai Gurdas for his works to be included in the Guru Granth Sahib, but that he declined through humility). Bhai Gurdas's compositions are approved for recitation in Gurdwaras and are widely available. Bhai Gurdas's *Vaars* and additional compositions called *Kabits* are again accessible in their original *Gurmukhi* form although English translations and several authoritative commentaries are available on them in both Punjabi and English. These include Mansukhani's *Hymns from Bhai Gurdas's Compositions* (1988) and Dr. Jodh Singh's *Vaaran Bhai Gurdas. Text,*

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<sup>8</sup> A form of poetic composition that Bhai Gurdas's writings are in.

*Transliteration and Translation. Volumes one and two.* (1998). Many of Bhai Gurdas's compositions not only explain the Sikh *Dharam* and the teachings of the Gurus, but 'some of them are narrative works which relate episodes from the lives of the earlier Gurus or incidents which occurred during the author's own time. Many more can be classified as doctrinal or exegetical as such they considerably extend our understanding of the Gurus' teachings' (McLeod, 1984, p.7).

There are several authoritative publications of *steeks* (widely available commentaries on *Gurbani* written in Punjabi) available from India, which were compared and used when interpreting the Sikh Sacred Scriptures. The *Sri Guru Granth Sahib Kosh* (2003) written by Bhai Vir Singh (1872 - 1957), a pivotal personality in Sikh literacy and Sikh history, is a dictionary of translations of *Gurmukhi* words used in the Sikh Sacred Scriptures. It is a revised and enlarged work of the original *Sri Guru Granth Kosh* (1898) by Giani Hazara Singh. Another useful publication is Taran Singh's *Gurbani Dian Viakhiya Pranalian* (1980), which is extremely comprehensive as it evaluates eight methods of traditional explanation and commentary of the *Guru Granth Sahib*, thereby providing an invaluable reference point for interpretation.

Some authoritative *steeks* of the Sikh Sacred Scriptures available from India are: Professor Sahib Singh's *Sri Guru Granth Sahib Darpan* (1962-1964); and Giani Narain Singh's *Sri Dasam Granth Sahib Ji Steek* (2006).

After deciding the key themes this study would address, the *Guru Granth Sahib*, *Dasam Granth* and *Bhai Gurdas's Vaars and Kabits* were approached by personally reading them in their entirety and in their original *Gurmukhi* script. The quotations which were felt were relevant to this study were collated and recorded systematically. A smaller selection was then made from those quotations to be presented, which it was felt illustrated the points to be highlighted and illustrated in this study. The various authoritative *steeks*, dictionaries and existing commentaries outlined earlier in this section were then approached to enhance the personal understanding of these quotations which were then written out and referenced as translations, supplemented with transcriptions. The quotations (which at times are woven in with explanatory comments) are therefore personal reflections of the meanings of the passages that have been arrived at after careful analysis taking into account various hermeneutical subtleties and considerations

of the variations of interpretative diversity that already exist. (Further discussion on personal bias and hermeneutics to follow).

The purpose of the theological evaluation in this study is to analyse the essence, spirit and content of the messages within the Sikh Sacred Scriptures; it is not an exercise in literal translation. The translations are not intended to be definitive and successions of quotations are not intended to be an exhaustive account of the teachings of that subject within the Sikh Sacred Scriptures, but illustrative.

References to passages quoted from the Sikh Sacred Scriptures in this study are given as English translations (although translations serve as a very poor substitute to the original Sikh Sacred Scriptures in *Gurmukhi* form which were approached). After very careful consideration the original *Gurmukhi* script has not been included in this study. The reason for this is that it is not possible to ensure the required respect to an open access publication containing the original *Gurmukhi* script. Sikhs traditionally remove their shoes, wash their hands and cover their heads when handling publications containing the original *Gurmukhi* script in order to show it reverence. This was an important point for



personal consideration as an initiated and practicing Sikh. Although the inclusion of verse numbers has been omitted, the transcription of passages has been included in order for the reader to identify with the original words used in the quotation without needing to look up the reference. If the reader does however decide to look up the original, the transcription aids in finding the specific verse using the indicated page number. All the transcriptions have been taken from one source for consistency ([www.sikhitothemax.com](http://www.sikhitothemax.com)) accessed from June-August 2012. The references for Scriptural quotations do not follow the Harvard system. This is because there are numerous authors of the Sikh Sacred Scriptures and the referencing does not vary depending on the date of publication of the source. Therefore, after the name of the author is given, the name of the particular Sacred Scriptural text which the reference is from is specified, followed by the page or verse number of where the exact lines can be found. The sources and details of publication of the Sacred Scriptural texts are listed in the Bibliography.

Successions of quotations from Sikh Sacred Scriptures are presented in this study systematically starting with the 1430 page SGPC standardised version of the Guru Granth Sahib (in a two-part Volume),

followed by the Dasam Granth and then the writings of Bhai Gurdas. Within the successions of quotations, the sequence is accordingly presented in page number order from Guru Granth Sahib first (corresponding to the SGPC standardised 1430 page editions), followed by the Dasam Granth and then Bhai Gurdas's *Vaars* and *Kabits*. Various methodological approaches to the Sikh Sacred Scriptures were considered, as the interpretation is qualitative and subjective.

Throughout the study, reference is made to the Sikh *Dharam* as opposed to 'Sikh religion' or 'Sikhism' unless giving citations. The terms '*Dharam*' and '*Dharmic*' referring to spiritual wisdom, righteous living and responsibility towards God and God's entire creation, are a more authentic and accurate term of the sense of 'duty' and 'way of life' that a Sikh encompasses. Other *Gurmukhi* and Punjabi words and concepts which are similarly referred to in this study are listed in the Glossary.

### 1.3.3 Personal bias

Engaging in this work as an initiated and practicing Sikh from the Guru Nanak Nishkam Sewak Jatha (hereafter GNNSJ) has inevitably influenced the study. It was evident growing up in the Sikh community that two contrasting types of Gurdwara management existed – one with a system of elected committees and the other through the guidance of a spiritual leader. GNNSJ falls into the latter of these categories and thus, the reason for this study was partly as an attempt to understand the genesis of the former.

GNNSJ was founded in the 1950's in Kericho, Kenya by Sant Baba Puran Singh, who came to the UK in the 1970's where GNNSJ became a registered Charity with its Headquarters in Birmingham. Sant Baba Puran Singh chose Bhai Sahib Bhai Norang Singh to succeed him after he passed on (in 1983). Bhai Sahib Bhai Mohinder Singh is the present spiritual leader of the organisation since 1995 and was similarly chosen.

Most diaspora gurdwaras are managed by an elected committee, with competition for such offices as president, secretary and

treasurer. But an increasing number of gurdwaras have been set up through the dedication of a *sangat* to a charismatic personality, a *Sant* or baba. A *Sant's* followers express relief that their gurdwara has escaped the tensions generated by elections and his appointees are happy to perform *seva* in their designated capacity (Nesbitt, 2005, pp.93-94).

Nesbitt also notes that some of the diaspora's most striking initiatives owe their inspiration to a *Sant* and that the *Sant* is a transnational link between *sangats* and strengthens individuals' commitment to the Sikh *Dharam*. She highlights GNNSJ as an example of one of these organisations:

He (Sant Baba Puran Singh Ji) preached the need to return to earlier Sikh practice. He inspired numerous Sikhs in the UK to take their faith seriously, to practise *nam simaran* daily, to regrow their hair, and to give up alcohol and meat (Nesbitt, 2005, p.101).

Takhar (2005) also engages in a debate about GNNSJ's position in the *Panth* and the role of *Sants* stressing that:

The importance of Sant Puran Singh among the GNNSJ can be justified if one bears in mind that the tradition of *Sants* and their following has a long history in the Sikh faith. The importance of keeping the company of *Sants* is made mention in the writings of the Gurus. In the light of this information, the prominence of the *Sants* in the group is not so exceptional. Subsequently, the acceptance of such religious leaders does not place the GNNSJ beyond conformity to the *Panth*. After all, the primary role and aim of Sant Puran Singh was to bring back the drifted members of diaspora Sikhs, who, through taking amrit, would be able to take pride in their Khalsa identity (Takhar, 2005, pp.55-56).

Takhar (2005) also observes that the majority of members of the GNNSJ are *amritdhari* (initiated and practicing) Sikhs observing the Sikh *Rahit Maryada* and living in accordance with the message and advice given in the Guru Granth Sahib. She thereby labels them 'ultra-stringent' when considering Khalsa identity and states that in attempting to be

thoroughly Khalsa orientated, ironically they are regarded as separate and different' (p.46).

Therefore, as well as stating that the GNNSJ occupies 'an important position within the Panth' as it boasts one of the largest majorities of diaspora born *amritdharis* and lays emphasis on the teachings of the ten Gurus and the Guru Granth Sahib (p.54), Takhar concludes her debate by summarising:

In the case of the Guru Nanak Nishkam Sewak Jatha and the Sikh Dharma of the Western Hemisphere (3HO), both groups have leaders who, although causing a distinction from the general Panth, show eagerness for the Khalsa identity. In this respect, these groups must be regarded as being thoroughly Sikh (Takhar, 2005, p.181).

It is from a position within the GNNSJ and as an initiated and practicing Sikh that this study has been approached. However, the debate about Sikh identity is a complex one (see section 5.2 of this study).

Following the observation of Takhar (2005) that GNNSJ practices and propagates the Khalsa *amritdhari* identity, it can be argued that a personal bias towards that particular Sikh identity may manifest in this study. However, Takhar also states that GNNSJ is regarded as part of the *Panth* and lays emphasis on the teachings of the Guru Granth Sahib. Therefore, despite any personal bias incurred by approaching the study as a member of the GNNSJ, it can be argued that this study still holds great validity, relevance and applicability for the vast majority of Sikhs and Sikh institutions.

Furthermore, being an initiated and practicing Sikh from within the GNNSJ is an approach as an 'insider'. The insider/outsider debate when approaching the study of religions is also one which has been discussed in Knott's essay (2005). She summarises that a 'secular and scientific' approach values an objective outsider stance and is based on the premise that the aim of a scholar of religion should not be to get inside the experience and meaning of religious phenomena, but to build upon the benefits of critical distance to explain religion from the outside (p.245).

The second approach she points to is 'reflexive', which requires a greater awareness on the part of the scholar about the dialogical nature of scholarship. Thirdly, she states that critics of this approach require that scholars research and write consciously from within their context and standpoint whether as insiders or outsiders (p.245). However, she also illustrates that in the 1890's with Tiele and in the 1980's with Barker, many scholars of religion – with personal religious convictions or with non – have held that an impartial stance is possible and that 'participants-as-observers' can make concepts and methods from their tradition comprehensible for others (p.252).

Similarly, McCutcheon (1999) states that with an insider reflexive position such as that taken with the approach of this study, claims that the researcher is able to make objective or neutral claims are highly suspect for she/he would maintain that the world at large is just what it is for you or I precisely because you or I are what, who and where we are (p.10). However, it can be argued that being a member of the group under investigation does not unduly influence the process in a negative way:



Disciplined bracketing and detailed reflection on the subjective research process, with a close awareness of one's own personal biases and perspectives, might well reduce the potential concerns associated with insider membership (Dwyer, 2009, p.59).

Furthermore, even though people from outside a community clearly have an understanding of the experience of those who are inside that community, it is certainly a different understanding from that of the insiders (Barone, 1992). The insider approach taken for this study is articulated by Mandair (2001) who states that with reference to Sikh Studies, the insider/outsider problem is a function of the modernist turn from religious to secular thinking. He instead favours the move to a study of religion (the Sikh *Dharam*) that is at once a form of self-discovery, no less spiritual than political, no less therapeutic than classificatory (pp.68-69), in short, as noted by Knott (2005), an antidote to the dominant objective, secularist approach (p.255).

In this context, Alisdair MacIntyre's theory of 'tradition-constituted rationality', or 'tradition-constituted enquiry' pointing at how reason is

always traditioned, but without which there is no foundation for enquiry or engaging in advancing, evaluating, accepting or rejecting arguments, is relevant. MacIntyre suggests that:

There is a need to recover a rational enquiry embodied in a tradition, a conception according to which the standards of rational justification themselves emerge from and are part of a history in which they are vindicated by the way in which they transcend the limitations of and provide remedies for the defects of their predecessors within the history of that same tradition (MacIntyre, 1988, p.7).

MacIntyre claims that reason shaped by narratives are generated by particular communities. He advocates that when a tradition is in crisis, the resolution occurs through an interpretation of that tradition by its own tools:

A tradition then not only embodies the narrative of an argument, but is only to be recovered by an argumentative retelling of that narrative (MacIntyre, 1988, p.250).

This study can therefore be likened to a 'tradition-constituted enquiry' as it aims to re-interpret a tradition (the values of the Sikh *Dharam*) by its own tools (the Sikh Sacred Scriptures) by an initiated and practicing Sikh community member (myself). Approach of the Sikh Sacred Scriptures in their original *Gurmukhi* compositions was thereby done first-hand and directly, aiming to provide an original and personal interpretation. For this study, previous interpretations were not relied upon, but instead, used to supplement understanding. However, in an effort to appreciate the true 'spirit' of the language and to understand the teachings contained in the Sikh Sacred Scriptures comprehensively, reliance solely on English translations was avoided, because as Krentz determined:

The first task of the historian who wishes to meet this goal is simply to hear the texts with which he is working. He uses every linguistic tool at his disposal to determine the sense the text had for its writer and first audience. He seeks to hear the text apart from the mass of biblical interpretation that has been laid over it in the history of its use. The basic respect for the historical

integrity of a text is inherent in all historical criticism. This determination to hear a text on its own terms may mean that an interpretation long held has to be given up (Krentz, 1975, p.39).

By approaching the Sikh Sacred Scriptures as an initiated and practicing Sikh, faith in its teachings and reverence to the Guru Granth Sahib as 'Guru', not just as a Sacred Scriptural text, are a pre-condition. This means that such personal interpretation has the possibility of being perceived as biased, lacking objectivity and having the possibility of being lenient on points of contention or debate and subject to personal opinions. Husserl advocated that the correct way to avoid such possibilities is by 'bracketing' or suspending one's beliefs in order to execute the correct interpretation as the author intended. However, bracketing assumes that people can separate their knowledge from their lived experiences. Heidegger refuted bracketing by asserting that interpretation *is* the interpretation of experience. He explained that understanding involves some prejudice or presuppositions, although it helps if we become aware of our assumptions. 'The reader's horizon meets the text's horizon'. On this model it is impossible to bracket off one part of experience and separate it from the whole of experienced

life (Hirsch, 1976, p.4).

The methodology employed in this study (which involved personal interpretation) therefore concurs with Heidegger's assertions. Similarly, in 'On the Hermeneutics of Sikh Thought and Praxis', Balbinder Bhogal's comments on how Gadamer has shown that one's prejudices not only influence interpretation but do so in entirely natural and even creative ways (in Shackle, Singh and Mandair (eds.), 2001, p.74) are also applicable. The advantages of approaching this study as a practicing Sikh are that it also gives an 'insider's' perspective. The relationship between a Sikh and the Guru Granth Sahib and the centrality of the Guru Granth Sahib in all aspects of a Sikh's life, is inherently and holistically understood. It is with this background that the Sikh Sacred Scriptures are approached for this study; not as Scripture, but as 'Guru'.

The Western writers' attempt to interpret and understand Sikhism is an outsider's or non-participant's endeavour... Primarily, religion is an area which is not easily accessible to the outsider, foreigner or non-participant. The inner meaning of a

religion unfolds only through participation; by following the prescribed path and discipline (Darshan Singh in Knott, 2005, p.244).

It can thus be advocated that the 'insider's approach to this study allows for an enhanced, comprehensive, authentic and more accurate interpretation, which reduces misinterpretation because it is informed by theological and cultural sensitivity and an awareness of the nuances and references contained within the Sikh Sacred Scriptures.

#### **1.3.4 Hermeneutics**

Guru Nanak stated that '*vichaar*' – contemplation and reflection upon the utterances of the Gurus, was necessary for a Sikh and a critical part of their spiritual progress:

*Sikhi sikhiaa gur veechaar.*

The path of the Sikh *Dharam* and the learning within it, is the contemplation and reflection of the Guru's Word (Guru Nanak

Dev, Guru Granth Sahib, p.465).

When approaching the Sikh Sacred Scriptures for this study, many aspects of hermeneutics were inevitably applied. Hermeneutics means to interpret by exposing hidden meanings. It aims to engage and connect with the text, not just understand it. It originally relates to Biblical texts and was a response to the Reformation debate and Enlightenment thought on epistemology and philology. Hermeneutics includes textual criticism to establish an accurate text base; philological study to determine the intended sense (which also includes studying historical grammar, vocabulary, morphology, and syntax); literary criticism of the linguistic and poetic devices; and form criticism which accounts for the sociological context. This must be done whilst retaining 'hermeneutical autonomy' (the interpreter may not import meaning into the text, but must find sense in it). The following quotations reflect that such hermeneutical autonomy could be cultivated through submission to the autonomy of the text:

On the one hand, the historian remains critical of his own critical abilities. But in a more profound sense he recognises that in

judging a text he also places himself under the judgment of the text. And where that text deals with the profundities of man, that calls for a submission to the autonomy of the text that calls the historian forth for judgment and knowledge of himself. Then history performs its humane or theological function (Krentz, 1975, pp.49 – 50).

Taran Singh advocates that there are four standard techniques of Indian scriptural tradition that are employed in Sikh exegetical methods. The first is *Shabadarath* (meaning of the words), which provides synonyms as well as the meaning of difficult words in a particular composition. The second is *Tika* (commentary), which provides the meaning of a particular hymn with comments in simple language. The third is *Viakhia* (exegesis), which provides a detailed exegesis and extended commentary on a particular hymn from a particular angle. The last is *Paramarath* (sublime meaning), which provides the spiritual meaning of a particular hymn (Singh, Taran, 1980, *Gurbani dian Viakhia Pranalian*, p.1 in Singh, Pashaura, 2000, p.240 footnote).

Freidrich Ast advocated three levels of interpretation for texts: the



hermeneutics of the letter (grammatical interpretation), sense (topic addressed by the text) and spirit (the historical context and 'genius' of the author), (Szondi, 1995, p.98). This attempted to recreate the original intention of the author. However, critics suggest that the text is actually independent because the mind of the author is inaccessible. The counter-argument against this is that the desire for objectivity creates distance between the reader and the text and therefore errors are more likely in this form of interpretation.

Friedrich Schleiermacher expounded the concept of the 'hermeneutical circle' (Szondi, 1995, p.129). He claimed that a dialogue was required with the author's life situation because humans only understand depending on what they already know, but they cannot understand a work unless they relate it to the intention of the author. Therefore, he argued that in order to avoid misinterpretation, literary and historical analysis was also required to interpret the text as the author intended.

Ast however advocated that the solution to all these hermeneutical problems was to:

...explore the spirit that shaped the letter so as to penetrate the higher meaning of the letter; and he should know how to appreciate the form in which the letter has presented itself for the revelation of the spirit (in Szondi, 1995, p.98).

Although the text is the same for everybody, everyone responds to it differently, meaning that every reading of a text is subjective but can still be objective (Newton, 1990, pp.142 – 143):

The critic means to hear the texts on their terms. He comes to the texts without having decided in advance what they mean or say. He is objective in that sense. Such objectivity does not mean that the interpreter is removed from the process of interpretation. Objectivity is rather the recognition of personal involvement and taking it into account in interpretation. Objectivity does not demand neutrality or freedom from presuppositions. The interpreter comes to the texts presuming that they have something valid to say that he does not already know. There is thus a movement from the text to the interpreter and then back to the text (the hermeneutical circle). Theologically this means that

the role of the Holy Spirit in interpretation may be taken seriously (Krentz, 1975, p.70).

Ast conceives that it is the 'Spirit' which makes all understanding possible, since all things are originally one in Spirit and everything spiritual is originally one and the same (Szondi, 1995, p.100). The reader must never suspend or 'bracket' their faith, as this would detract from its meaning. In 'transactive' interpretation, one builds on their relationship to the text, and works from their personal transaction of the text:

Intuitionism conceives the text as an occasion for direct spiritual communion with a God or another person. The words of the text alone do not 'contain' the meaning to be communicated; they institute a spiritual process which, beginning with the words, ultimately transcends the linguistic medium...The letter killeth, but the spirit giveth life. But since sometimes only chosen souls have direct access to the spirit behind the letter, interpretation must be left to priests who interpret for other men with instituted authority. Or, alternatively, since inward conviction is a hallmark

of intuitionism, sacred interpretation belongs to individual communion, not to instituted authority. Intuition can thus lead just as easily to an enforced uniformity of interpretation as to a permissive diversity (Hirsch, 1976, pp.20-21).

Fish similarly argues that meanings are actualised in the process of reading and emerge from the interaction between the text. Meaning is therefore redefined as an event, rather than an entity (Fish, 1982, pp.2-3). In this sense, interpretation of the Sikh Sacred Scriptures is existential, or experiential of the dialogue contained within it. It is a living experience that recreates how the Guru or Saint felt at the time of composition (hence its arrangement in *Raagas*, or musical frameworks that reflect mood). The intention is not for it to be only translated or understood in a literary sense, but for the reader to engage with it and become an active part of the dialogue; a dialogue which is arranged between God as Speaker, Guru Nanak as listener, the Guru Granth as text, and finally Sikhs today as listeners and speakers (Mandair, 2009, p.328).

After engaging with the dialogue, the next step is for the reader to put into practice what they understand. Mandair refers to J. L. Austin's speech-act theory, which holds that an utterance is not merely a means for communicating referential content but an act that makes something happen in the social world (Mandair, 2009, p.328).

Green's comments on biblical interpretation in *Theology, Hermeneutics and Imagination* (2000) can also be applied to approaching the Sikh Sacred Scriptures. He advocates that:

Scriptural interpretation is no mere activity of the intellect but engages the whole person, body and soul...if the meaning of the text is always open ended, it follows that there can be no escape from interpretation, and interpretation requires the active engagement of the imagination. The meaning of scripture is never simply given; it is always the fruit of an interpretive act. The inescapability of interpretation implies hermeneutic imperative. The literal sense of the biblical text tells us (if we are reading scripturally) what God says; but it requires an act of

interpretation to discern what God means (Green, 2000, pp.175-176).

Another factor to consider within hermeneutical theory when approaching the Sikh Sacred Scriptures, is the fear of violating the sanctity of the texts:

It is one thing to elucidate passages which contain something discovered by human wit and reason, and something else again to elucidate passages which contain things transcending reason. Everyone will at least have to admit that one has to supplement the rules for interpreting the books of mortals with all sorts of annotation and commentary if they are to be applied directly to a book of divine origin and containing divine wisdom. The philosophical art of interpretation should therefore be considered only as a preparation, albeit a very useful one, for the interpretation of the Scriptures; it does not contain everything that it is necessary to know and observe therein. This establishes the limits of hermeneutics. The Scriptures, as revealed truth, do not belong to the body of rational literature...Its rules are not

completely inadequate to the Scriptures, but they must be supplemented with rules which take into account the Scriptures' revelatory nature (Szondi, 1995, pp.16-17).

Szondi expresses this as 'hermeneutic fairness' which when considered with respect to God, is called 'hermeneutic reverence for God'. This rests on a concept of God, the correctness of which does not have to be proven by hermeneutics, for it is a given (Szondi, 1995, p.75). For example, during this research for this study it was taken into account that historical context shaped much of the subject matter, language and the metaphors within the Sikh Sacred Scriptures. However, the hermeneutics of suspicion was not applied at all (approaching a text by asking what is missing and what is false). This is because the Guru Granth Sahib for a Sikh is the 'complete' Guru – it cannot be altered or be thought of as inaccurate or incomplete because it is considered the sacred revealed Word of God. It is finite in the form of 1430 pages, yet Infinite in the 'depth' of its content and therefore complete in spiritual wisdom and knowledge – every single word and character has been uttered and recorded with purpose and holds unique meaning. Schleirmacher advocated that:

The Holy Spirit is the author and He would do nothing in vain; thus no redundancy, no tautology, and thus the notion that anything similar should be taken emphatically (in Szondi, 1995, p.129).

Ultimately, in accordance with Lutheran theology, Holy Scripture can only be its own interpreter (Szondi, 1995, p.30). It is the 'bridge' between the mortal and God, the finite and the Infinite, revealed through the Gurus (Divine beings in human form):

Scripture teaches to each and all of us, the lesson which it was designed to teach so long as we are men upon earth, and not angels in heaven...as finite beings placed in relation to and communication with the Infinite (Mansel, 1870, p.183).

Therefore, even if the reader can engage with the historical context of the author, in the case of the Sikh Sacred Scriptures, the reader can never truly fully understand the mindset of the author (an enlightened soul - the Guru or Saint), unless they have realised God and are an



enlightened soul (or a manifestation of the Word) themselves. Hirsch stated that 'truth and reality are relative to a spiritual perspective' (Hirsch, 1976, p.36). Similarly Mansel states that:

It is assumed that human reason is capable of attaining to some conception of a Supreme Being, and that this conception will vary in intellectual elevation and moral purity according to the intellectual and moral condition of those by whom it is formed... We are bound to believe that a Revelation given by God can never contain anything that is really unwise or unrighteous; but a fallible Reason may suppose things to be unwise or unrighteous which are not really so (Mansel, 1870, pp.vii - xviii).

An individual's level of interpretation therefore depends on their spiritual level:

*Eaevadd oochaa hovai koe.*

*This oochae ko jaanai soe.*

Only one as great and as high as God can know His lofty and exalted state (Guru Nanak Dev, Guru Granth Sahib, p.5).

Conversely however, *Gurbani* is unique in that it is intended to be accessible to the mortal also:

Truths, not above, but within the grasp of reason and capable of demonstration from rational premises (Mansel, 1870, p.4).

Interpretation either elevates reason to the point of view occupied by Revelation: or it strives to bring down Revelation to the level of reason (Mansel, 1870, p.6). However, the Sikh Sacred Scriptures are also unique in the fact that they are also the mechanism to develop the realisation of the Divine by having the capacity to move the reader closer to God. In this sense the reader's horizon does meet the text's horizon, but the reader is also broadening their horizon in the process. The text illumines the reader; the reader does not illumine the text.

Hirsch argues however, that the ultimate value of interpretation lies in its application:

The job of criticism is both to illuminate meaning (when necessary) and to indicate some valuable application of meaning, some special charm or use or wisdom for the present time. Ultimately then, the aim of interpretation is to form a reliable basis for application. The value of knowledge is realized in its application, and there alone, even when the application resides in the spiritual exaltation of a pure contemplation of meaning (Hirsch, 1976, p.36).

Similarly in the chapter 'On the Hermeneutics of Sikh Thought and Praxis' Balbinder Bhogal highlights that without the lived experience of the truths of a text, the content and form reveal little in way of transformative understanding (in Shackle, Singh and Mandair (eds.), 2001, p.85). Thus, as the theological evaluation in this study encourages the application of the teachings of the Sikh Sacred Scriptures within Gurdwara legislation so that Gurdwara management and Sikh leadership are a more authentic reflection of them; the interpretation of the Sikh Sacred Scriptures from this perspective can be likened to the doctrine of 'vivid knowledge', which is knowledge of the truth of a doctrine insofar as it exerts an influence on our will and our actions.

The highest degree of vivid knowledge is to be found in the case of revealed truths, where these result in a conversion of the persons in question and where knowledge of the truth causes a transformation of one's entire will, such that the consequences are expressed in all of one's voluntary acts (Szondi, 1995, p.36).

Nanak specifically relates the understanding of the Word to the practice of truth (*sach achar*) over and above any knowledge of the truth (*sach*), revealing his key hermeneutic principle that establishes the focus on praxis over theoria (Bhokal in Shackle, Singh and Mandair (eds.), 2001, p.92).

#### **1.4 Outline of study**

The structure of this study is twofold. It firstly examines the history of Gurdwaras, Gurdwara management and the Gurdwara Reform Movement (1920-1925). The account is constructed to offer a perspective which specifically evaluates, explores and highlights the historical context and factors leading to the creation of the Sikh

Gurdwaras Act, 1925 and the existence of the SGPC and the SAD. This provides a unique historical narrative of the Gurdwara Reform Movement, thereby augmenting previous historiographies on the subject.

After establishing the historical context, the study secondly moves on to critically analysing the jurisdiction and constitutional validity of the Sikh Gurdwaras Act, 1925. It then evaluates problematic issues arising with the Act's implementation and also looks at problematic issues arising with Sikh leadership (specifically the SGPC and the SAD) in relation to the Act. The criteria used for the evaluation are the theological teachings of the Sikh *Dharam* contained within the Sikh Sacred Scriptures because Sikhs accept the theological teachings within the Sikh Sacred Scriptures, which they obey as their Guru. This is all broken down into the following chapters.

Chapter two begins with an introduction to Gurdwaras and their significance in the Sikh *Dharam*. The management of Gurdwaras during the times of the ten Gurus (1469-1708, see Appendix 1) is discussed.

The evolvement of these systems of management up until 1920 is then traced.

Chapter three then goes on to analyse in detail the period after 1920, which is referred to as the Gurdwara Reform Movement (1920 – 1925), looking in particular at the factors which led to the creation of the SGPC, the formalisation of the SAD and the formulation of the Sikh Gurdwaras Act, 1925. The chapter makes particular reference to speeches made in the Punjab Legislative Council in order to enhance and substantiate the historical narrative of the Gurdwara Reform Movement because they illustrate the proceedings involved in creating the Act. After establishing the historical factors contributing to the creation of the Sikh Gurdwaras Act, 1925, the initial reactions to it are then evaluated.

Chapter four explores the extent of the jurisdiction of the Sikh Gurdwaras Act, 1925; the issue of continued Governmental interference in Gurdwara management; and the Act's constitutional validity in relation to the *Constitution of India*. The chapter uses relevant case studies and judgements to engage in this evaluation.

Chapters five and six engage in a theological evaluation of the Sikh Gurdwaras Act, 1925 through an interpretation and application of teachings from the Sikh Sacred Scriptures. Chapter five uses the theological teachings within the Sikh Sacred Scriptures to critically analyse specific aspects of the Sikh Gurdwaras Act, 1925 which have led to problematic issues with its implementation. In particular the theological evaluation highlights matters of nomenclature relating to the definition of a Gurdwara; Sikh identity; and caste that are contradictory to the teachings of the Sikh *Dharam* in the Sikh Sacred Scriptures.

Chapter six uses the theological teachings within the Sikh Sacred Scriptures to critically analyse specific content within the Sikh Gurdwaras Act, 1925 which has led to problematic issues with the SGPC and the SAD. In particular the theological evaluation highlights matters of resources and finances; politics and power; and the criteria and selection process of religious leaders relating to the SGPC and the SAD that are contradictory to the teachings of the Sikh *Dharam* in the Sikh Sacred Scriptures.

In the concluding chapter a summary of the findings and suggestions to improve Gurdwara management, Gurdwara legislation and Sikh leadership within the remit of the Sikh Gurdwaras Act, 1925 are made.



## CHAPTER TWO - HISTORY OF THE GURDWARA AND GURDWARA MANAGEMENT

In this chapter, the role of the Gurdwara and its importance in the Sikh *Dharam* is discussed before a history is given of Gurdwara management prior to the Gurdwara Reform Movement. This lays the foundations for a historical narrative of the Gurdwara Reform Movement by establishing the historical context and background leading to it.

### 2.1 The Gurdwara

The Gurdwara is the Sikh place of worship wherein the Guru Granth Sahib, the eternal living Guru and Sacred Scripture of the Sikhs dwells.

Gurdwaras have been in existence since the beginning of the Sikh *Dharam*.<sup>9</sup> Wherever Guru Nanak (1469 – 1539), the founder of the Sikh *Dharam* went, a '*Dharamsal*' was founded by the community and association of followers who would meet and sing the Guru's hymns

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<sup>9</sup> Since the advent of Guru Nanak, the founder of the Sikh *Dharam* in 1469.

together. The emergence of Gurdwaras in connection with episodes in the lives of the Gurus is particularly evident in the works of Bhai Gurdas. This explains the revered connection that Sikhs derive between the personalities of the Guru and the historical Gurdwaras:

*Jithhai baabaa pair dhhar poojaa aasan thhaapan soaa.*

Wherever Baba (Nanak) put his feet, a religious place was established (Bhai Gurdas, Vaar 1, Pauri 27).

The *Dharamsals* were places to remember God's Name and to sing His praises with the congregation, but also to propagate and disseminate Guru Nanak's teachings and subsequently those of the other Gurus (Gupta, 1998, p.43). Originally, the *Dharamsals* were established as the 'headquarters' of the earlier Gurus in Punjab, India at places such as Kartarpur, Khadoor Sahib and Goindwal (Singh, Kashmir, 2004a, p.1). They functioned as the centres of the Sikh *Dharam* and model institutions under the personal supervision and direct control of the Gurus themselves. The following verse of Bhai Gurdas refers to Kartarpur in this context:

*Dharamsal karathaar pur saadhhasa(n)gath sach kha(n)dd vasaaeiaa.*

After founding the *Dharamsal* at Kartarpur, it was inhabited by the holy congregation as the abode of Truth (Bhai Gurdas, Vaar 24, Pauri 1).

In many instances, the Sikh Scriptures also refer to the Earth as a '*Dharamsal*', which was established by God to practice *Dharam* (religious faith and righteousness). This can be interpreted as a macrocosm of a literal *Dharamsal* or a Gurdwara, wherein *Dharam* should also be practiced:

*This vich dhharathee thhaap rakhee Dharamsal.*

In the midst of these, God established the Earth as a home for practicing *Dharam* (Guru Nanak Dev, Guru Granth Sahib, p.7).

*Kott brehama(n)dd jaa kae Dharamsal.*

God created millions of universes as places to practice *Dharam* (Guru Arjan Dev, Guru Granth Sahib, p.1156).

During the 18<sup>th</sup> Century the term '*Dharamsal*' became restricted and gave way to the term '*Gurdwara*', which took on a greater meaning:

Places associated with the Gurus acquired particular sanctity and as such imparted a special blessing. In this way the single word *gur-duara* came to be applied to Sikh places of pilgrimage (place, which today are marked by the so-called 'historic' gurdwaras) (McLeod, 2003, p.228).

The significance of the Gurdwara took on an additional dimension which McLeod attributes to two developments: firstly, the attribution of the Guru's authority to the Adi Granth (the bestowment of the Guruship to the Guru Granth Sahib by Guru Gobind Singh in 1708) and secondly the installation of copies of the Guru Granth Sahib in the *Dharamsals*:

The means of grace and guidance was now located within some *sangats* places of assembly. Where this happened the place of assembly, formerly a *dharam-sala*, thus became known as a *gur-duara* (McLeod, 2003, p.228).

Therefore, the Gurdwaras developed from being places of worship, into places which had even greater sanctity and significance, as they now housed the Guru Granth Sahib, the Sikh Sacred Scriptures, the embodiment and physical presence of the living Guru. The Gurdwara thus became the actual abode and literally became House of the Guru for the Sikhs (Gupta, 1998, p.45).

Several verses from the Sikh Sacred Scriptures refer to the Gurdwara as the dwelling place of the Guru and 'gate of the Guru'. As the eternal Guru for Sikhs is the Guru Granth Sahib, this can be interpreted to mean that the Gurdwara, the home and abode of the Guru is an incomparable and blessed place where one finds peace and anchors their personal *Dharam*:

*Jithhai jaae behai maeraa sathiguru so thhaan suhaavaa raam raajae.*

Wherever my Guru goes and sits, that place is beautiful (Guru Ram Das, Guru Granth Sahib, p.450).

*Jis no kathhaa sunaaeihi aapanee s guradhuaarai sukh paavehae.*

Those whom You cause to listen to Your sermon, find peace in the Gurdwara, the Guru's gate (Guru Amar Das, Guru Granth Sahib, p.919).

*Guradhuaarai laae bhaavanee eikanaa dhasavaa dhuaar dhikhaaeiaa.*

Through the Gurdwara, the Guru's gate, some are blessed with loving religious faith, and the "Tenth Door" (gate of liberation) is revealed to them (Guru Amar Das, Guru Granth Sahib, p.922).

*Ddit(h)ae sabhae thhaav nehee thudhh jaehiaa.*

I have seen all places and things, but none can compare to this place (the place where the Guru resides), (Guru Arjan Dev, Guru Granth Sahib, p.1362).

Many Gurdwaras in India are historically connected with significant episodes in the lives of the Gurus themselves, but many were also subsequently founded in memory of Sikh martyrs.

The Gurdwara emerged as a new edifice on India's religious landscape in the 17<sup>th</sup> Century. Even since then this indestructible

symbol of the Sikh faith has stirred intense and indefinable feelings in millions of Sikhs everywhere (Singh, Patwant, 1992, back cover).

The word 'Gurdwara' can literally be broken down to *Guru's – dwara* (Chahal, 1998). The 'Guru' is one who is able to take someone from spiritual ignorance (from *Gu*, translated as darkness) into spiritual enlightenment (into *ru*, translated as light). In the Guru Granth Sahib it is described that someone who knows God, is called the true Guru (Guru Ram Das, Guru Granth Sahib, p.667). The true Guru is one who has the capacity to reunite a disconnected soul back with God and who will arbitrate on its behalf in God's court (Guru Arjan Dev, Guru Granth Sahib, p.957). The *dwara* is the 'abode' or 'gateway' to the Guru. It can also be taken to mean the True Guru's (God's) abode or gateway, wherein God Himself can be realised.

Gurdwaras are the very nucleus of the Sikh community and serve as a multi-purpose institution. For Sikhs, the Gurdwara plays an integral part throughout their life, from the naming of a newborn; to initiation into the Sikh *Dharam*; to engagements; marriages; and the solemnisation

of deaths. All these ceremonies take place in the presence of the Guru Granth Sahib, for receiving the blessings of the Guru and the collective blessings of the congregation.

Verses from the Sikh Sacred Scriptures express prayer, remembrance of God and the singing of God's praises as the activities which Sikhs would associate with a Gurdwara:

*Sach saalaahē dhha(n)n guradhuaar.*

Blessed is that Gurdwara, the Guru's gate, where the praises of God are sung (Guru Nanak Dev, Guru Granth Sahib, p.153).

Gurdwaras are a place of worship where devotees go to be in the presence and holy company of their Guru; to receive spiritual grace and blessings; and to benefit from the holy company of the Guru's congregation for spiritual advancement. They provide a place to learn about prayer and selfless service and also a space to put it into action. The following quotations from Bhai Gurdas illustrate the role of the Gurdwara as somewhere the Sikh congregation can be found; where the anniversaries of the Gurus are celebrated; where one learns how to live



virtuously; and where human beings can be created who are as virtuous as Saints:

*Gur sikhee dhaa dhaekhanaa guramukh saadhhasa(n)gath  
guradhuaaraa.*

The glimpse of the Sikh life can be had only in the Holy Congregation and the Gurdwara, the door of God (Bhai Gurdas, Vaar 28, Pauri 7).

*Dharamsal vich beejadhae kar ghurapurab s vanaj southae.*

At the *Dharamsals*, they celebrate anniversaries of the Gurus and thus sow the seeds of virtuous actions (Bhai Gurdas, Vaar 29, Pauri 5).

*Gurasikh saadhh asa(n)kh jag Dharamsal thhaae thhaae suhaaeiaa.*

*Sadhus* (holy Saints) in the form of the Sikhs of Guru Nanak are innumerable because the *Dharamsals*, flourish everywhere (Bhai Gurdas, Vaar 23, Pauri 2).

Furthermore, the function of Gurdwaras extends to spiritual instruction and schooling; hospitality, shelter and charity; and the provision of *Langar* (free blessed vegetarian food prepared and served from the Gurdwara to all by means of voluntary service and voluntary contributions).

The *Chaupa Singh Rahit-nama*, a document outlining the normative standard of Sikh belief and behaviour (McLeod, 2003, p.7), which McLeod attributes as being produced in its extant version in the 1740s, states the following:

Every village or locality with *Gursikh* homes should maintain a *dharamsala* dedicated to the Guru, where the *sangat* (congregation) should regularly gather. This building should include facilities for Sikhs who may need a place to stay. There must be free access to it. No Sikh should be prevented from entering...The person placed in charge of a *dharamsala* (the *dharamsalia*) should possess all virtues and be a careful observer of the *Rahit* (the prescribed code of conduct for the *Khalsa*). The conduct of divine worship and rituals is his duty (in McLeod, 2003, p.103).

The Guru Granth Sahib explains that utmost reverence should be accorded to the sacred service connected to the Gurdwaras by explaining that such sacred service is only bestowed through Divine blessing:

*Ttehal mehal thaa ko milai jaa ko saadhh kirapaal.*

*Sadhu sangat tho basai jo aapan hohi dhaeiaal.*

One obtains God's service of the Holy and sacred through the blessings of a *Sadhu* (holy Saint). It is only through God's grace that one may meet such an exalted soul (Guru Arjan Dev, Guru Granth Sahib, p.255).

Furthermore, the value of such service is emphasised by stating that one should be thankful for the rare opportunity of being born a human, as it is through the human form one is able to undertake such service:

*Eis dhaehee ko simarehi dhaev.*

*So dhaehee bhaj har kee saev.*

Even the deities yearn and long for a human body to enable them to meditate on God's Name (*Naam*) and be able to serve Him. Never forget, that as a human being, it is a blessed opportunity to serve God (Bhagat Kabeer, Guru Granth Sahib, p.1159).

*Gur saevaa dhaa fal ghanaa kin keemath hoee.*

Immense is the fruit of the service to the Guru; who can understand its worth?!...The service is invaluable and incomparable (Bhai Gurdas, Vaar 27, Pauri 20).

There are many quotations in the Sikh Sacred Scriptures which illustrate that the service of the Guru (which can be interpreted to be service of the eternal Guru, the Guru Granth Sahib, inhabited within the Gurdwara in the context post-1708 as articulated by McLeod, 2003), is not only important, but invaluable and incomparable. The verses describe that through this service of the Gurdwara where the Sikh Sacred Scripture, the Guru Granth Sahib is housed, one can become closer to God and gain peace:

*Gur saevae so t(h)aakur jaanai.*

One who serves the Guru, comes to know his God and Master  
(Guru Nanak Dev, Guru Granth Sahib, p.416).

*Jinhee sathigur piaaraa saeviaa thinhaa sukh sadh hoee.*

Those who serve their Beloved True Guru obtain Eternal peace  
(Guru Ramdas, Guru Granth Sahib, p.451).

With their manifold functions, Gurdwaras can also be interpreted to be a macrocosm of a human being in metaphorical terms, providing nourishment for the three constituents that a human being is made up of: the mind, body and soul. In contemporary idioms, Gurdwaras are models of self-help, self-reliance and community participation. They define the Sikhs as a distinct and separate independent community, but they also have an open door policy signifying the oneness of God and the equality of mankind. They have come to symbolise the religious identity and authority of the Sikh *Dharam* and are associated intimately with the spiritual and social practices of Sikhs. They are the life and soul of Sikhs by being a testament to and the practical embodiment of Sikh teachings:

Everyone to whichsoever religion he may belong will agree with me that the temples are the life and soul of a nation. To the Sikh community especially, these Gurdwaras are their life and soul. Their very life is dependent upon the purity, upon the emancipation, upon the freedom of these Gurdwaras from all corrupt practices. Sir, historians or those who study the Sikh history will find that the Sikh religion which is pre-eminently a congregational religion and not individualistic was founded with temples and the main source of its dissemination was the temple (speech by Sardar Tara Singh, in Ahluwalia (ed.), 1985, p.201).

In their daily formal supplication (*Ardas*), Sikhs pay homage to those who have lost their lives for safeguarding Gurdwaras; blessings are sought from God for the longevity and prosperity of Gurdwaras; pleas are made that all Sikhs may see the holy sacred Sikh shrine of Darbar Sahib in Amritsar which was envisaged and constructed by three of the Gurus themselves; and prayers are offered that Sikhs should again have the unrestricted honour to serve Gurdwaras which are now in Pakistan following the partition of India in 1947.

Gurdwaras are sacred and revered ground for Sikhs and as a result the maintenance of their sanctity is of an immeasurable sentiment. To uphold and safeguard the honour and dignity of Gurdwaras from humiliation, degradation and sacrilege is considered mandatory. Although sacred sites are commonly associated with bricks and mortar; the structure protects the core that contains the *Dharam's* values. Gurdwaras are therefore a repository and manifestation of values of the Sikh *Dharam* and it can thus be interpreted that their protection is seen as the protection of the Sikh *Dharam* itself.

## **2.2 Management of Gurdwaras**

The centrality and importance of Gurdwaras for Sikhs has meant that their management has been of great importance and played a pivotal role in Sikh history since the times of the ten Gurus.

### 2.2.1 Management of Gurdwaras during times of the ten Gurus (1469 – 1708)

As previously stated, the Gurdwaras which were established at the headquarters of the Gurus by the Gurus, were under their personal supervision and direct control. Other Gurdwaras and Sikh communities during the times of the ten Gurus were under the charge of a leader appointed by the Guru. These leaders were called *Manjidars* because they sat on a *Manji* ('seat' of authority) when preaching to the congregation. They oversaw the dissemination of the Guru's teachings and collected monetary offerings to pass onto the Guru which were used for spiritual, educational and charitable service such as the *Langar* and later the construction work of Darbar Sahib and Gurdwaras in other towns which the Gurus founded (Gupta, 1998, p.44).

Guru Amar Das organised the *Manjiships* into a system of 22 pastoral districts and 52 administrative districts (Singh, Kashmir, 2004a, p.1). Guru Ram Das evolved the system further by appointing 22 *Masands*, 3 of whom were women (Singh, Mohinder, 1997, p.2). The *Masands* were full time preachers who were selected for their integrity, piety and



dedication. Guru Arjan Dev further elaborated their role and reorganised the *Masands* to collect the *dasvandh* from the Sikhs (one-tenth of their income which was given as a stipulated minimum contribution for collaborative and charitable projects and presented to the Guru by the *Masands* every six months).

During the time of Guru Hargobind, the *Masands* started gaining vested interests in their role and looking upon themselves as autonomous powers from the Guru. Many of their positions had become hereditary and therefore some of them had no personal contact, loyalty or allegiance to the Gurus. Furthermore, during the time of the seventh and eighth Gurus (Guru Har Rai and Guru Harkrishan), some *Masands* became rebellious and undermined the Guru's authority by becoming allies with those who contested the Guruship (such as the Mughals).

Guru Gobind Singh, the tenth Guru, abolished the *Masand* system in 1697-8 after hearing complaints about the corruption of the *Masands* in various parts of the country. The *Masands* had abused their religious duties by taking offerings from the Sikhs in the name of religion and misusing them for their personal pleasures and self-betterment. There

were cases of financial misappropriation, misconduct and immorality. Gurdwaras had become vehicles of personal gain for individuals occupying positions of responsibility in the operating structure (Singh, Kashmir, 2004a, p.2). The *Masands* were summoned to Anandpur Sahib and those found guilty were punished. Following this, edicts were issued stating that Sikhs should send their *dasvandhs* and any other contributions directly to the Guru at Anandpur Sahib. Guru Gobind Singh asked Bhai Mani Singh (1644 – 1734), a renowned preacher and interpreter of the Guru Granth Sahib, to be responsible for the administration of Darbar Sahib in June, 1699.

### **2.2.2 Management of Gurdwaras from 1708 - 1849**

After the passing on of Guru Gobind Singh in 1708, the military leadership of the Sikhs devolved to Banda Singh Bahadur at a time when the Punjab was under Mughal attacks. Mata Sundri, the widow of Guru Gobind Singh, who was managing the affairs of the Sikh community from Delhi, intervened and steered Bhai Mani Singh to take

over as head Granthi once again at Darbar Sahib until his martyrdom in 1738.

In the ensuing period of persecution (1748 – 1767), Sikhs were continuously fleeing to escape Mughal oppression, thus the regular maintenance of many Gurdwaras was neglected. Many Sikhs and Sikh preachers were exiled and the Gurdwaras came into the charge of certain orders called the Udasis and Nirmalas who professed to be Sikh, but did not conform to its outward *Khalsa* identity<sup>10</sup> and could thus escape persecution. The Udasis and Nirmalas who maintained the Gurdwaras were highly respected as men of integrity and piety (Kapur, 1986, p.43). They were well versed in the Sikh scriptures and devoted themselves to reciting and expounding the teachings of the Sikh Gurus. Most Udasis were not attached to a particular Gurdwara, but there were some who established themselves with certain Sikh shrines and became known as *Mahants* (Singh, Teja, 2000, pp.13-14). The *Mahants* nominated their successors who were accepted with esteem and confidence, out of reverence for the services rendered by them during these difficult periods of persecution for the Sikhs.

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<sup>10</sup> The wearing of the five *Kakars* (articles of faith commonly referred to as the 5K's) and *Dastaar* (turban) by initiated Sikhs.

When Sikhs gained political control of Punjab in 1765 through *Misls* (organised military bands of Sikhs) and established the Sikh Raj under Maharaja Ranjit Singh, Sikh practices were re-established to a great extent in the Gurdwaras and the security and splendour of Gurdwaras was ensured for over 70 years. Large endowments of finances and revenue-free land in perpetuity, or for a fixed term, were granted under Maharaja Ranjit Singh's rule, as well as the undertaking of conservation and restoration of many Gurdwaras:

Royal patronage was also lavishly extended to Sikh institutions, and the present appearance of the Golden Temple and other major shrines largely dates from their reconstruction during Maharajah Ranjit Singh's time (Shackle, 1984, p.6).

### **2.2.3 Management of Gurdwaras from 1849 - 1920**

The management of Gurdwaras changed significantly after 1849. After the heyday of the Sikh Raj, Lord Dalhousie's (Governor-General of

India) initial instructions of 31<sup>st</sup> March, 1849 to his Board of Administration for the Affairs of Punjab, reveal that the annexation of the Punjab to the British Empire in 1849 meant for the British that; 'by our occupation of the country after the whole Sikh nation has been in arms against us, we have acquired the absolute right of conquerors' (in Singh and Barrier (eds.), 1999, p.153). British assertion of power in turn led to administrative confusion in the Gurdwaras.

The *1861 Waqf Act* gave the control and management of the holy places of Hindus and Muslims to their communities respectively.<sup>11</sup> In 1863 the British passed the *Religious Endowments Act* which distanced them from the responsibilities of statutory regulation, thus making them unable to check corruption and mal-administration in religious endowments. After the Religious Endowments Conference of 1914, the British Government repealed this policy to ensure proper management of Religious Endowments and passed the *Charitable and Religious Trusts Act in 1920*, followed by the *1923 Waqf Act*. The British policies towards the Gurdwaras evolved into a managerial and administrative role which led to the British having direct involvement in Gurdwara affairs.

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<sup>11</sup> The aim of the *Waqf Act* was to permanently dedicate movable or immovable properties for religious, pious or charitable purposes.

They had come to realise that control of the Gurdwaras could play a vital role in bolstering the British Empire by providing them with religious and political control of the Sikhs and the resources and land associated with the Gurdwaras (Hussain, 1921, p.360).

The British therefore subsidised a contradictory and ambiguous relationship with Sikhs and Gurdwara authorities. On the one hand, they attempted to solidify the support of influential sectors of the community through the continuation of existing *jagirs*<sup>12</sup> and grants to the Gurdwaras; assisting Rajas and leading Sikh families through resources and patronage, educational facilities and incorporating their involvement in government strategy; and through regularising and expanding Sikh employment into the army, police and civil service. The British also attempted to be seen as allies of the Sikhs by providing funds for preserving rare documents and translating the Guru Granth Sahib.

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<sup>12</sup> District of land with private recipient of revenues: a district where public revenues or payments-in-kind have been granted to a person or group. Whoever was granted the *jagir*, was in effect the ruler of that region and owner of the substantial income that was earned (taxes, etc.).

The central and historical Gurdwaras in Amritsar and the locality<sup>13</sup> passed into British hands under the administration of the Gurdwaras and attached *jagirs*. With the appointment of Sir Henry Lawrence as British Agent to the Governor General in the Punjab after the first Anglo-Sikh War, the Darbar Sahib was managed by Sikh *Mahants* who were under British control. From 1849 – 1859 the Chief Commissioner of Punjab administered Darbar Sahib through Sardar Jodh Singh, an Extra-Assistant Commissioner in the Punjab Commission. He had the power to fine for misconduct or exclude individuals from the complex for six months and he maintained the previous systems of accounting and distribution of income. In 1859, responsibility of Darbar Sahib's administration was vested in the Deputy Commissioner of Amritsar.

The Sikhs were astonished to see the British siding with the *Mahants* who did not practice the Sikh *Dharam* or have a visible Sikh identity because they were encouraging Sikh identity by only recruiting practicing Sikhs into the army. After the mutiny of 1857, the British had

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<sup>13</sup> These included Sri Harmandir Sahib (Darbar Sahib), Gurdwara Man Sahib, Gurdwara Shaheed Ganj Sahib , Gurdwara Ramsar Sahib, Gurdwara Baba Deep Singh, Gurdwara Bebaaksar Sahib, Birth Place of Guru Hargobind Sahib, Gurdwara Darbar Sahib (Tarn Taaran), Gurdwara Baba Budha, Guru da Bagh (Kokawali), Gurdwara Bowli Sahib (Goindwal Sahib), Gurdwara Bir Baba Budha (Thattah-Chabhal), Gurdwara Darbar Sahib (Khadur Sahib), Chheharta Sahib, Baba Bakala, Birth Place of Baba Budha (Kathunangal), Tala Sahib Gurdwara, Gurdwara Bhai Manjh Sahib and Gurdwara Pau Wind Sahib .

become conscious of keeping a strong army to protect India from enemies and they turned their attention to the Sikhs. From 1860 the policy of recruiting Sikhs for the Indian army was launched and only those Sikhs who were initiated and practicing the Sikh way of life, and had a visible Sikh identity were enlisted during the First World War.

After annexing the Punjab, British administration developed two separate methods of bringing their former opponents, the Singhs, to heel. One method aimed at securing the loyalty of the Sikh temple functionaries to British rule; the other hoped to recruit a cheap but dependable and, above all, obedient soldiery for the Raj by promoting Sikhism as a separate religion and Singh as a separate social identity based on that religion (Fox, 1985, p.141).

A total of 97,016 Sikhs served in the British forces (Singh, Khushwant, 1999, p.160). The British laboured to ensure the religious conformity of these Sikhs, even though the memory of the wars the British had fought against the Sikhs to establish their rule and the martial skill the Sikhs displayed for the British post 1857 led to fear in the minds of the British that some day, the Sikhs might turn against them.



Thus the British felt that the Sikhs must be contained and controlled to ensure that radical, anti-government factions did not use religious institutions to destabilise foreign rule:

No doubt their culturally given beliefs in the Singh as a martial race led the British to a direct involvement in Sikh sacred institutions that they religiously avoided in Hindu and Muslim affairs. The stolidity and blind loyalty of those with martial instincts could turn to fury and wild abandon if aroused by agitator so the British believed. To keep the Singh soldierly line, it was necessary to control the religious leadership that could command their obedience and ensure their docility...This being so, the British could not afford to loosen their grip upon the shrines (Fox, 1985, pp.158-159).

The British therefore continued the 'special arrangement' at the Darbar Sahib by which the colonial authorities appointed a Sikh manager and by which the chief British civil officer of Amritsar district handled the secular administration of the sacred Sikh shrine. On 8<sup>th</sup> August, 1881,

the Lieutenant Governor of Punjab, R. E. Egerton wrote a letter to Lord Ripon, the Viceroy stating:

I think it will be politically dangerous to allow the management of Sikh temples to fall into the hands of a Committee, emancipated from government control, and I trust Your Excellency will resist to pass such orders in the case, as will enable to continue the system, which has worked successfully for more than thirty years (Dhillon, 2000b, p.5).

Taking cue from the British management of Darbar Sahib, functionaries of other Gurdwaras began to be addressed as *Mahant* also, signifying that they were the custodians of the Gurdwaras. These *Mahants* who controlled the remaining Gurdwaras with large incomes derived from tax-free *jagirs* bestowed on the Gurdwaras during the Sikh Raj, became entirely obedient to the wishes of the British Government. They worked in an official capacity for the British government officials and some *Mahants* became Honorary magistrates, title-holders, and nominated members of Municipalities and notified areas. This

arrangement endured even though it contradicted the laws of the colonial Government in India (Fox, 1985, p.158).

The British also constructed canals and provided other agricultural facilities, as a result of which, the value of land rose considerably further. This caused the *Mahants* to further entrench their vested interests in Gurdwara property. Under the new settlement that the British improvised, *Mahants* had Gurdwara land transferred into their names with the aid of British officials. In this way they became the owners of the Gurdwara assets. The new law made the position of the *Mahants* as independent as that of persons owning private property. The *Mahants* who were previously 'caretakers' of the Gurdwaras took on a new and significant role because they effectively became the owners and claimed the right of their descendants to inherit Gurdwara property or to sell it on as trust property (Hussain, 1921, pp.523-33; Singh, Narain, pp.193-195; Singh, Sohan, 1972, p.15; Singh, Teja, 2000, pp.85-119; and Singh, Mehtab, 1921, p.360).

With this new significant position, the *Mahants* disbursed the income of *jagirs* for personal use and more significantly, neglected their duties for

conducting observances at the Gurdwaras. They frequently began abstaining from religious services and delegated such duties to their subordinates who started demanding fees from the devotees. The *Mahants* began to adopt rituals within the Gurdwaras that were relevant to the majority of the local population in order to increase their personal income from fees. The majority of the population was Hindu and thus in many cases, Hindu services were conducted in Gurdwaras by Brahmins, involving idol-worship and astrology (which was prohibited by the Gurus), to cater for the local communities.

The *Mahants* also started marrying (which was hitherto taboo for them) in order to create lines of hereditary succession with an avowed purpose of retaining their hold on the Gurdwara properties. Some of them promoted promiscuity within the Gurdwara vicinity and began appropriating the offerings made by the devotees as their personal earnings and maintained no accounts of the Gurdwara incomes. They lived a life of luxury, dissipation, and irresponsibility which meant that the Gurdwaras were unsafe to enter.

On the advent of the British rule, however, the very word of “possession” acquired special significance and unfortunately very little, if any, distinction at all was made between possession as owners and possession as servants of the public for carrying out the religious and charitable services, connected with the gurdwaras. The result was that the incumbents began to feel and exercise personal rights in the endowments which soon led, as it was bound to lead, to the deterioration of their characters...The *mahants* became more and more depraved. Bad characters flocked around them as chelas to lead easy and immoral lives. Resorting of desperate characters to our gurdwaras and their association with the *mahants* converted these sacred places of virtue and religion to brothels and dens of gamblers, drunkards, robbers and thieves. No man’s honour and no woman’s virtue was safe...*Mahants* kept mistresses and concubines and in doing so did not confine themselves to their own community. From prostitutes they had sons whom they provided with millions worth of properties out of gurdwara funds (Hussain, 1921, p.360).

When the Punjab was annexed by the British in 1849 it was not merely a case of occupying a territory, rather it had marked the beginning of a new era. The Punjab became a part of the British Colonial Empire and its administrative set-up had been reorganised to shape the province in such a way that to serve British concepts and value patterns. Colonies, schools, publications and preaching were established by the British in India to serve the Christian missionary system. By 1881 Christian converts numbered 3912 and were heavily concentrated in the central districts of Lahore, Amritsar, Sialkot and Delhi. The Census Punjab Report of 1901 revealed that converts to Christianity totalled 37,980 and by the following decade (1911) the numbers had grown to 163,994 (Gandhi, 1993, p.2). This scenario became the context within which Sikhs had to adjust and adapt. The Sikh movements which arose in response to this were the Nirankari movement, the Namdhari movement, and the Singh Sabha movement.

The nationally increasing political consciousness and nationalist upsurge as a response against the British missionaries throughout India also played a large part in mobilising the Sikhs for Gurdwara reform and created an awakening in the Punjab. Mohinder Singh (1997) argues

that the Akali struggle for Gurdwara reform in the early twentieth century arose from such purely provincial movements as the Nirankari, the Namdhari and the Singh Sabha in conjunction with all-India Hindu movements such as the Brahmo Samaj, the Dev Samaj and the Arya Samaj.

After the end of the Sikh Raj, Baba Dayal (1783-1855) was one of the first among the Sikh religious reformers to preach against anti-Sikh concepts that had slowly crept into Sikh religious and social life. He spoke against idolatry, worship of graves, tombs and trees and belief associated with Brahmanical rites and ceremonies. He exhorted his followers to worship the one *Nirankar* (formless God). Baba Dayal attracted many followers, known as 'Nirankaris' who followed Sikh ceremonies in birth, death, marriage but they did not impact very greatly on the Sikh masses in terms of education (Singh, Khushwant, 1999, p.123).

The Namdhari movement, popularly known as the Kuka movement, was next on the Punjab scene. It was started by Bhagat Jawahar Mai and Baba Balak Singh. The movement became a powerful force of

religio-political revival among the Sikhs under one of Baba Balak Singh's disciples, Baba Ram Singh (1816 – 1885). Baba Ram Singh particularly encouraged his followers in the worship of one God through prayer and meditation on God's Name (*Naam*) and hence his followers became known as Namdharis (Singh, Khushwant, 1999, p.128). The moral codes prepared and enforced by Baba Ram Singh appealed to his followers to worship God at all times. He also preached against social evils such as the caste-system, female infanticide, early marriage and barter of daughters in marriage. Simple and inexpensive marriages between Sikhs were popularised.

The teachings of Baba Ram Singh had a wide appeal to the Sikh masses. Contemporary European officials viewed the growing popularity of Baba Ram Singh's mission with serious concern. Mohinder Singh (1997) suggests that the Kukas created great hatred for British rule in the minds of the people in the Punjab which helped prepare the ground for the subsequent struggle of the Akalis in the early twentieth century. The following verses became common to describe the anti-British sentiment in India:



The unclean have come from London, and have established slaughter houses in every place; they have killed our Gurus and we must now sacrifice ourselves (in Singh, Mohinder, 1997, p.7).

After the persecution of the Kukas and the suppression of their movement by the British, a new movement gave rise called the Singh Sabha (1873). The Singh Sabha movement and its activities had an extremely wide appeal to the Sikh masses and consequently made a great impact. They believed that religious reformation could be brought about only when the masses were made aware of their religious heritage. The movement gained quick support from the Sikh elite and prominent Sikh scholars of the time such as Bhai Vir Singh, Bhai Kalian Singh, Bhai Ditt Singh and Professor Gurmukh Singh (Dhillon, Gurdarshan, 2000b, p.5).

Although the Singh Sabha aimed mainly at religious reform through the spread of education and consciously refrained from discussing political questions or antagonising the British, the religious propaganda of some of its preachers had marked political overtones. For example, the Singh Sabhas preached that:

Never had the Sikh nation fallen so low or was in so wretched a plight as during the British rule... never was the education so backward, temporal resources so strained and disease and poverty so rampant (in Singh, Mohinder, 1997, p.21).

The efforts of Singh Sabhas to harness the media to project the Sikh *Dharam* harnessed positive results. As early as 1877, a joint Board to manage the activities of the Singh Sabhas was formed, called the General Sabha and was subsequently replaced by the Khalsa Dewan which was set up at Amritsar in 1883. A new generation, headed by Sardar Sunder Singh Majithia formed a constitution in 1902 and formed the 'Chief Khalsa Dewan'.

The major contribution of the Singh Sabha leadership lay in the creation of a network of Khalsa schools, colleges and other centres of learning. The Singh Sabha leaders felt that the spread of education among the Sikhs needed the help and friendship of the British rulers. They therefore, sought the patronage of the Viceroy and other British officials. Soon after the establishment of the Chief Khalsa Dewan,

Lahore, an active campaign was started for the foundation of a central college for the Sikhs around which was to be organised a system of schools in the outlying districts. Educational activities of the Singh Sabha received ready support and patronage from the Government of India and the British officials in the Punjab. It was with this assistance from the British officials and the rulers of the Sikh princely states that the Khalsa College was founded at Amritsar in 1892. The Khalsa College was in the hands of the British Government as its members were nominated and removable by them. In an anti-British pamphlet published in 1911, the British Government was accused of 'having robbed the Sikhs of their college just as they had by gross breach of faith, previously swallowed up the Punjab' (in Singh, Mohinder, 1997, p.9).

From 1880, the Singh Sabha movement had begun propagating for reform in the Gurdwaras and for the removal of illiteracy amongst the Sikhs. The ground had been prepared for a struggle for reform of Sikh shrines against the *Mahants* on one hand and a simultaneous struggle against British rule on the other. Within the new climate of religious, social, educational and political awakening, the reformers felt that they

no longer needed to remain helpless spectators to the corrupt practices at their religious places of worship. The initiative for reform was taken by the Sikh and pro-Sikh newspapers. From 1905, newspapers such as the *Khalsa Advocate*, the *Khalsa Samachar*, the *Khalsa Sewak* and *The Punjab* began expressing pain and grief at the management of Gurdwaras under the *Mahants*. *The Punjab* reminded the *Mahants* that 'the Gurdwaras belong to the Sikh community and not to the priests, who are mere servants of the *Panth* (the Sikh community)' (in Singh, Teja, 2000, p.92).

From 1906 the Singh Sabhas and the Chief Khalsa Dewan began passing resolutions condemning the *Mahants* and urging them to change their ways. In 1906 under pressure from the Singh Sabhas and the Sikh press, one resolution passed by the Chief Khalsa Dewan asked the Government for the rules pertaining to the management of the Darbar Sahib to be changed, as to allow the Sikh community the right to appoint its manager and other officials (Singh, Teja, 2000, p.93). The *Mahants* felt that the British Government and the law would support and protect them in resisting the reform activities of the Sikhs.

Realising that the mere passing of resolutions did not help the cause of reform, some Sikhs advocated for the adoption of other strategies such as the boycotting of Gurdwaras and exerting greater public pressure on the *Mahants*. However, neither of these was successful. Boycotting did not prove effective, as the *Mahants* still welcomed Hindu devotees for services and accepted their offerings. Also, most of the Gurdwaras in which reforms were sought, received a large annual income from the tax-free *jagirs* attached to almost all the Sikh historic shrines. The *Mahants* were therefore able to withstand a decline in monetary offerings from devotees through a boycott. The method of exerting greater public pressure on the *Mahants* proved an equal failure because many of them readily promised to improve their ways when confronted with strong public pressure, but reverted to their old behaviour as soon as the pressure of public criticism subsided.

As a result the reformers then resorted to litigation to bring about improvements in the Gurdwara management through s.92 of the Code of Civil Procedure, 1908. Section 92 was intended to stop the misuse of the religious income of public trusts. However, this failed because in order to file suit against the *Mahants*, the reformers needed the

permission of the Deputy Commissioner, who generally denied this permission. When law suits did gain permission to be pursued, they were not filed. Furthermore, civil suits and constitutional reform attempts also involved extortionate court fees and meant that the reformers had to rely on voluntary contributions to aid litigation. In the cases of the two Gurdwaras, Gurdwara Babe-di-Ber and Gurdwara Panja Sahib, the litigation they hoped to pursue to improve Gurdwara management had to be abandoned due to a lack of funds (Singh, Partap, 1983, p.85).

Although outwardly the British Government professed a policy of 'neutrality', British officials encouraged the *Mahants* to adopt a harsher attitude towards the reformers as revealed in a letter written by the British administration stating that 'any person who attempts to eject forcibly any *Mahant*...is liable to punishment under the law' (in Singh, Mohinder, 1997, p.157). In some cases wherein the Sikh community of the area succeeded in affecting a change in the management of some of the Gurdwaras through public pressure, the judicial machinery of the Government restored the power of the *Mahants* through civil

notifications as was done in the cases of Akali Phula Singh's Samadh and the Gurdwara of Hafizabad (Singh, Teja, 2000, pp.101-102).

Despite this lack of progress, in 1914 – 1915 the revolutionary *Ghadr* propaganda made headway in the Punjab during the First World War and was able to make a major contribution towards the articulation of discontentment against the British rule by inspiring many people with patriotic and revolutionary propaganda. Punjabi emigrants to the USA were the largest component of the *Ghadr* movement. Sohan Singh Bhakna was the founding President of the association of Hindustani Workers of the Pacific Coast, which came to be popularly known as the *Ghadr* Party because of its organisers' attempts to create *Ghadr* (rebellion) in India at the time of First World War:

Today there begins in foreign lands, but in our country's language, a war against the British Raj...what is our name? *Ghadr*. What is our work? *Ghadr*. Where will *Ghadr* break out? In India. The time will soon come when rifles and blood will take the place of pen and ink (in Singh, Khushwant, 1999, p.177).

During the First World War, the *Ghadrites* made serious efforts to develop contact with Indian soldiers (Singh, Mohinder, 1997, p.155), particularly the Sikh regiments in the Punjab (23<sup>rd</sup> Cavalry at Lahore, 26<sup>th</sup> Punjabis at Ferozepur, 12<sup>th</sup> Cavalry and 28<sup>th</sup> Pioneers at Meerut, Isemonger and Slattery). However, the efforts of the *Ghadrites* to foster an uprising in India failed due to organisational weaknesses, lack of support from the masses, opposition from the pro-British landed leaders of the Sikhs in the Punjab and the disapproval of the *Ghadrites* programme by Mahatma Gandhi and other nationalist leaders. Pro-British managers of the important Sikh shrines also reiterated their loyalty to the British Empire by having *Hukamnamas* (Edicts) issued from the Akal Takhat<sup>14</sup> in which the *Ghadrite* heroes were described as 'renegades' and the Sikhs were exhorted not to help them in their programme (Singh, Khushwant, 1999, p.183).

Despite this, apart from instilling revulsion for foreign rule, the *Ghadrite* activities also created a spirit of defiance of authority among the extremists in the Punjab which later found expression in the form of the

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<sup>14</sup> Seat of temporal authority in the Sikh *Dharam*.



Babbar Akali Jathas during the Akali struggle for Gurdwara reform (1920 – 1925).

Several other factors contributed to the unrest of the Indian population against British rule. The summer monsoon failed; the harvest was extremely poor; the cost of living rose higher than ever before; a special tax was imposed on the urban population; and there was also an influenza epidemic. In the climate of depression and discontentment, the Government introduced the *Rowlatt Bills* in January 1919 (two Bills on the recommendation of Sir Sidney Rowlatt) in order to legitimise the extraordinary powers assumed by the Government to check the revolutionary activities during the war.

The Jallianwala Bagh tragedy in Amritsar, which followed shortly after on 13<sup>th</sup> April, 1919, when General Dyer opened fire at Jallianwala Bagh, also had a significant impact on the relations between the Sikhs and the British. Although accounts vary, the British killed an estimated 379 and injured another 2000 in order to 'prevent further rebellious acts' (Singh, Mohinder, 1997, p.13). In an attempt to demonstrate that the British had legitimate authority over the Gurdwaras and Sikhs, Arur Singh, the

Government-appointed manager of the Darbar Sahib, invited General Dyer to Darbar Sahib, honoured him and declared him a 'Sikh' with a fake initiation and invested him with the five *Kakars*. This was however an insult and humiliation to Sikhs, thus causing further aggravation between the British Government and the Sikh reformers:

While the tragedy of Jallianwala lent an impetus to the struggle for the country's freedom, the perfidious and sacrilegious action of Arur Singh brought home to the advocates of reform the urgency of putting a stop to the prevailing system of Gurdwara management, and with it the greed, licentiousness and misdeeds of the *Mahants*, priests and other vested interests among them. Of the various factors contributing to the growing discontentment among the Sikh community, the fact of gross misuse of their premier shrine at Amritsar at the hands of the Government-nominated *Sarbrah* and the British officials in the Punjab, proved to be the proverbial last straw on the camel's back and thus set the stage for the coming Akali struggle (Singh, Mohinder, 1997, p.14).

Subsequently, in the same year, Sikhs held the first session of a body called the Central Sikh League in Amritsar. It had district leagues spread across Punjab, encouraging Sikhs to support the cause of Gurdwara reform. A vernacular newspaper, *The Akali*, was also started at Lahore in May, 1920. It similarly roused Sikhs to respond urgently in the need for Gurdwara reform and to influence other Sikhs to join the movement. There were ongoing meetings in villages appealing to the Sikh masses to make sacrifices for their religion and a fund was started for the relief of the families of those Sikhs who had gone to jail for their struggle against the British.

## **Conclusion**

In conclusion, the management of Gurdwaras evolved since the time of the Gurus (see Table 1 below) and problems with Gurdwara management were apparent as early as 1606 with the corruption of the *Masand* system.

**Table 1: Management of Gurdwaras throughout Sikh history.**

c.1469 – c.1552	<i>Manjidars</i>
c.1552 – c.1574	<i>Manjidars</i> system organised into 22 pastoral districts and 52 administrative districts
c.1574 – c.1581	<i>Masands</i> system adopted
c.1582 – c.1606	<i>Masands</i> system developed to incorporate regular collection of <i>dasvandh</i>
c.1606 – c.1675	<i>Masand</i> system becomes corrupted
c.1675 – c.1708	<i>Masand</i> system abolished
c.1708 – c.1738	Bhai Mani Singh entrusted as Head <i>Granthi</i> of Darbar Sahib
c.1738 – 1849	Udasis and Nirmalas oversee management of the Gurdwaras and become known as <i>Mahants</i>
1765 – 1849	Conservation and restoration of Gurdwaras by Maharaja Ranjit Singh during the Sikh Raj
1849 – 1880	Evolvment of British policies towards management of Gurdwaras following annexation of Punjab
1880 – 1920	<i>Mahants</i> become hereditary custodians of the

	Gurdwaras and begin forming alliances with the British. Corruption of <i>Mahant</i> system ensues.
1920 - 1925	Start of Gurdwara Reform Movement and genesis of the SGPC.

The table also highlights that British involvement in the management of Gurdwaras began as early as the start of the 19<sup>th</sup> Century. In particular, the annexation of the Punjab in 1849 can be seen as a critical turning point in Gurdwara management, as it led to the development of British policies in the management of Gurdwaras. The following phases of relationships between the Sikhs and the British are identified by Kerr in *Sikhs and State* (1999):

- 1) 1809 - 1845: a close relationship of interest and identity during the reign of Ranjit Singh and his immediate successors;
- 2) 1849 – 1919: the establishment of a generally positive relationship between colonial authorities and the Sikhs albeit one marked by ambivalence on both sides of the relationship (in 1845,

the Sikhs constituted some 45,000 out of 54,000 in the Kingdom's regular infantry);

3) 1919 - 1925: the time of the Akali movement when many Sikhs dissociated themselves from British rule;

4) 1925 – 47: a period when the British and the Sikhs maintained uneasy, more distanced relationships determined very much by calculations of self-interests and the dynamics of Punjab provincial politics (in Singh and Barrier (eds.), 1999, p149).

Historical sources addressed in this chapter revealed that the British felt the need to both encourage Sikh identity, particularly for recruitment into their army for the War effort, but also to keep Gurdwara management in their control and to curb the threatening power of the Sikhs to their Empire. When the behaviour of the *Mahants* began defying Sikh values, teachings and practices; and when the British administration started encroaching on the religious and spiritual practices of Sikh Gurdwaras, this acted as a catalyst for the creation of anti-British reform movements and propaganda amongst the Sikh

community, which was ultimately the starting point and mobilisation for the Gurdwara Reform Movement:

After the British successfully subdued them, (the Sikhs) became oddly enough, braver under British upkeep...The British hoped to keep these new domesticates of colonialism on a short leash by having Sikhism's religious institutions and functionaries discipline them to obedience. But the very act of colonial taming unleashed a consciousness among the Lions that led them, instead, to reject these religious functionaries as of another nature. As they turned on the temple officiants, the Lions came to recognise their true opponents, the British. They came to understand that while one colonial hand fed them, the other hid the keys to their community (Fox, 1985, pp.140-141).

Thus, from 1919 onwards, when the preliminary efforts of the Gurdwara Reform Movement failed, it led to escalated, heightened sentiments and even loss of life for the cause. The following chapter provides a historical narrative of the Gurdwara Reform Movement

which highlights the factors leading to the creation of the Sikh  
Gurdwaras Act, 1925.



## **CHAPTER THREE - THE GURDWARA REFORM MOVEMENT**

**(1920-1925)**

This chapter considers the Gurdwara Reform Movement and what factors led to the creation of the Sikh Gurdwaras Act, 1925. It offers a historical narrative of the Gurdwara Reform Movement which specifically explores the factors and highlights the circumstances leading to the creation of the Sikh Gurdwaras Act, 1925 and the existence of the SGPC and the SAD.

The chapter analyses the complex relationship between the British administration and the Sikh community using primary sources such as the Punjab Legislative Council Debates. It discusses the British policy of non-interference and describes the first attempts at Gurdwara legislation. Following the failure of the first attempts at legislation, the growing demands of the Sikh community and attempts for a second Gurdwaras Bill are then narrated. The increasing autonomy and role of the SGPC involvement in the content of the Bill; and Hailey's policies which caused further aggravation of existing tensions, are highlighted within this narration and followed by a discussion of the materialisation

of the *Sikh Gurdwaras and Shrines Bill, 1925* (which eventually became the Sikh Gurdwaras Act, 1925) and its content in detail. Finally, the initial reactions towards the Act are evaluated.

The historical narrative in this chapter on the Gurdwara Reform Movement is necessary in order to trace the genesis of the Sikh Gurdwaras Act, 1925 and to evaluate the outcomes of the Gurdwara Reform Movement. The chapter identifies the factors which affected the creation of the Sikh Gurdwaras Act, 1925 and exacerbated the Gurdwara Reform Movement. The historical factors include the evolving relationship of the British administration towards the Sikh community, coupled with the Sikh dissatisfaction at the British with their legislative attempts. The formulation of the Act was further problematised with particular issues of representation; complaints from minority Sikh communities; the concerns of Hindu and Muslim communities; the need for definitions of Sikh identity and of a Gurdwara; and the need for defining the evolving role of the SGPC.

### 3.1 Genesis of the Shiromani Gurdwara Parbandhak Committee (SGPC)

Having encountered problems with Gurdwara management and administration and having failed to gain results from the available legislation, many Sikhs were convinced of the inadequacy and ineffectiveness of the legal remedies for reform. As a result, Sikhs organised themselves into '*Akali Jathas*' (local groups and congregations for whom, if necessary, death was an honourable means to achieve results for the cause). Lawful agitation over a five year reform struggle was adopted in order to gain control of the Gurdwaras from the British; to fight their colonial bureaucracy and administration; and to remove the hereditary *Mahants* from the Gurdwaras.

The escalation of the work of the reformers necessitated the need for a central representative body of the Sikhs to organise and coordinate the work of reform at different levels. Hence, the creation of the SGPC. Much of this chapter focuses on its formation because the SGPC made a great impact upon the events and consequences of the Gurdwara

Reform Movement and upon the content of Sikh Gurdwara legislation and creation of the Sikh Gurdwaras Act, 1925.

On 12<sup>th</sup> October, 1920, after a large religious assembly was held at Jallianwala Bagh in Amritsar by an organisation called the *Khalsa Baradari*, the congregation went to Darbar Sahib and then to Akal Takhat<sup>15</sup> to pay their respects. On seeing them approach, the priests who had been placed on attendance by the British, fled. The reformers occupied the Akal Bunga and appointed Teja Singh Bhuchchar as Head Minister of the Akal Takhat, with 25 volunteers to guard and serve it.

Pre-empting the next move of the reformers and in order to overcome the Sikh reform agitation, the British Government summoned a meeting on 13<sup>th</sup> October, 1920, to nominate and appoint a Sikh committee of their choice for the management of Darbar Sahib and other Gurdwaras including Taran Taaran.

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<sup>15</sup> The seat of temporal authority for Sikhs.

As predicted by the British, under the new authority of the Akal Takhat, the Sikhs issued an edict for a meeting in order to constitute a representative Committee for the management of Gurdwaras. All the five Sikh Takhats (seats of authority), Gurdwaras, *Khalsa Jathas* (organisations and congregations of the Sikh community), Sikh Platoons (of the British Army) and armies of the Sikh Princely states were requested to send their representatives (Singh, Teja, 2000, p.110).

All representatives were requested to be *Amritdhari* (a practicing and initiated Sikh); wearing five *Kakars* and *Dastaar* (the spiritual uniform of an initiated Sikh); to be an early riser (a condition stipulated by the Gurus that one who calls himself a Sikh should rise in the early hours of the morning and meditate upon God's Name - Guru Ram Das, Guru Granth Sahib, p.305); to be a regular reciter of *Nitnem* (daily prayers of a Sikh); and to be a contributor of *dasvandh* (a tenth of one's income).

Approximately 12,000 Sikh representatives met in front of the Akal Takhat on 15<sup>th</sup> November, 1920, as per the tradition of *Sarbat Khalsa* for

making communal decisions affecting the Sikh community. They elected from within them, a smaller committee of 175 members which included members from all the districts, Sikh States of the Punjab, other Indian provinces, and Sikh organisations in Burma, Malaya, China and North America. In a diplomatic move, this smaller committee also included the 36 members of the Sikh committee which had been formed by the British Government two days earlier, in order to give it added credibility and influence over the British administration. This committee was named the Shiromani Gurdwara Parbandhak Committee (hereafter SGPC).

The first meeting of the SGPC was held under the supervision of *Panj Piaras*<sup>16</sup> on 12<sup>th</sup> December, 1920. In a *shuddhai* ceremony, the *Panj Piaras* scrutinised the credentials of each member regarding their observation of *Rahit Maryada*<sup>17</sup> on the upper storey of Akal Takhat. All those who confessed to shortcomings, were given a religious punishment. After

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<sup>16</sup> Five initiated and practicing Sikhs representing the first five Sikhs who came forward to be initiated after the tenth Guru, Guru Gobind Singh's request for 'one who is willing to offer their life for their *Dharam*' in 1699. It is believed that collectively, the *Panj Piaras* hold the authority and manifestation of the Guru himself.

<sup>17</sup> Code of Conduct which initiated Sikhs live by.

this ceremony, all the 175 members came down reciting prayers from the Guru Granth Sahib and were presented to the congregation.

The SGPC's inauguration within the holy precincts of Darbar Sahib and in the presence of the authority of the Akal Takhat, gave it religious and moral weight within the Sikh community. The emphasis which had been laid on the members of the SGPC only being initiated practicing Sikhs and the enforcement of this being done in the presence of the *Panj Piaras*, gave impetus for the spiritual and religious cause of Gurdwara reform and the re-installation of Sikh values, to be the paramount motivation in the SGPC's work. The religious emphasis also served as a discouragement to members to have any personal or political gain from their activities within the Reform Movement.

Furthermore, the presence of a large representative gathering, unanimously accepting and participating in the creation of the SGPC, meant that the masses felt ownership of it and supported its cause. The gathering of Sikhs in the vicinity of Darbar Sahib, a shrine which was

under British management also served as a visual and symbolic opposition against the British Government. These factors led to the SGPC being seen as a necessary leader and agent for change to advance and implement Gurdwara reform.

The SGPC Constitution provided adult suffrage for all initiated Sikhs over the age of 21 years. Originally formed as a non-statutory body, on 30<sup>th</sup> April, 1921, the SGPC registered itself as a body corporate under *India's Societies Registration Act, 1860*. Determination of territorial constituencies was on the basis of Sikh population and the SGPC conducted the elections themselves by free voting. Of the 175 member Committee, 80 per cent was to be elected from different constituencies in India and the remaining seats were to be nominated by the elected members. There was to be a President, Vice-President, a Secretary, an executive committee of 35 members of whom 19 could form a quorum and a 7 member working committee. In addition, local committees with secretaries were to be formed for the management of important shrines or groups of shrines. Conditions of membership included a



subscription of 125 *Rupees* (Rs.)<sup>18</sup> per month. Anyone who was an initiated Sikh, over the age of 21 years, who observed the five *Kakars*, rose early in the morning, read the Sikh Sacred Scriptures and gave *dasvandh* could participate as a member of the electorate (Singh, Teja, 2000, p.110).

As the SGPC was responsible for its own elections, it sent its own polling officers to different centres to conduct the elections according to their rules. The new constitution required that four-fifths of the members to be elected from different constituencies from the province and the Sikh States and for one-fifth to be nominated by the elected members. A few days later the Executive Committee formed a Working Committee of 7 members and Local Committees for Gurdwaras Darbar Sahib, Tarn Taaran and Nankana Sahib. By July 1921, the new Committee was elected and with its representative character, the power and prestige of the SGPC increased.

On 14<sup>th</sup> August, 1921, the elected members met at the Akal Takhat to nominate the remaining one-fifth, who were also subjected to the same

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<sup>18</sup> Currency used in India, Pakistan, Sri Lanka, Nepal, Mauritius and Seychelles since the 16<sup>th</sup> Century.

scrutiny before the *Panj Piaras* in another *shuddhai* ceremony. Office-bearers were elected along with a strong Executive Committee of 31 members (Singh, Teja, 2000, pp.114-115).

A subcommittee was also appointed to draft the Committee's constitution and to formalise rules for the administration of the Darbar Sahib. The primary functions outlined for the SGPC were to manage Gurdwaras; remove un-Sikh practices within them; regularise expenditure and to utilise all income appropriately for purposes such as propagation of religion and education; and to upkeep and improve Gurdwara property and the running of *Langar* (Ahluwalia (ed.), 1985, p.20).

From the official correspondence, it is clear that on the surface, the creation of the SGPC led to a temporary and promising appeasement of the relationship between the Sikhs and the British administration and a potential resolution of the imminent issue of the administration of Darbar Sahib. Sir John Maynard the Home Member stated that the Sikh community had been seen for more than seventy years as the 'firm

friend' of the British Government and 'stout upholder of the law'. An invitation was given for uninterrupted cordial relations for the 'perpetual benefit both of the Government and of the community' (in Ahluwalia (ed.), 1985, p.142).

### **3.2 Formalisation of the Shiromani Akali Dal (SAD)**

The Shiromani Akali Dal (the SAD), a wing of the Gurdwara Reform Movement, the members of whom were identifiable from their black *Dastaars* (turbans), was also formalised on the 14<sup>th</sup> December, 1920 soon after the formation of the SGPC, by the SGPC itself.

The following objectives were stated for the SAD in the first issue of *The Akali*: i) to bring Sikh religious shrines back under *Panthic* control and management; ii) to do away with the permanent position of the *Mahants*; iii) to utilise the property and income of the Gurdwaras for the purposes for which they were founded, and; iv) to practice the Sikh religion according to the teachings of the Sikh Gurus as preserved in the *Adi Granth* (in Ahluwalia (ed.), 1985, p.204). Similar to when the SGPC

was constituted only a couple of days earlier, the objectives reveal that the reason given for the creation of SAD was for the implementation of Gurdwara reform and its primary impetus was also the re-establishment of Sikh values.

The SAD started organising Akali *Jathas* in all Districts to execute the decisions of the SGPC by occupying particular Gurdwaras. The Akalis came into direct confrontation with the *Mahants* and the British Government. The *Mahants* of some Gurdwaras acquiesced to the demands of the Akalis, but many continued to resist. Under the guidance of the SGPC, the SAD carried out various methods of peaceful and lawful resistance including a series of *Morcha* (marches/demonstrations). However, the initial success and peacefulness of the Gurdwara Reform Movement did not last. Suppression of the Akalis from the British Government included arrests, beatings, detention, summary trials, imprisonment and even firing.

Milestones in the Gurdwara Reform Movement were the Nankana Sahib Tragedy on 20<sup>th</sup> February, 1921 when 168 Sikhs were burnt alive; the recovery of Gurdwara Guru-ka-bagh, Amritsar, after a peaceful struggle (August – November 1922) which had resulted in 5605 arrests and 1700 injuries; the Jaito *Morcha* (August 1923 - August 1925) where approximately 250 Sikhs were murdered by gunfire under Government orders and tens of thousands were arrested when they performed an *Akhand Path*<sup>19</sup> at the Gurdwara of Jaito. According to Narain Singh's comments in the Punjab Legislative Council Debates:

After the tragedy at Nankana Sahib, about 30,000 Sikhs have been sent to jail, more than 2,000 have been sentenced under Criminal Law (Amendment) Act, 431 have been martyred, about 54 editors of various newspapers punished and (15) *lakhs*<sup>20</sup> of *Rupees* realised as fines (in Ahluwalia, (ed.), 1985, p.237).

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<sup>19</sup> Continuous reading of the Guru Granth Sahib.

<sup>20</sup> A monetary term referring to 'tens of thousands'.

### **3.3 Formulation of the Sikh Gurdwaras Act, 1925**

Over the five years of the Gurdwara Reform Movement, many Akalis lost their lives for the cause, highlighting the urgent and imminent need for a resolution of the issue of Gurdwara reform. It is against this heated backdrop that notions of possible Gurdwara legislation as a resolution to Gurdwara reform began.

#### **3.3.1 British policy of non-interference**

In *The Akali Movement*, Mohinder Singh argues that prior to the Nankana Sahib tragedy, the British Government failed to realise the magnitude of the problem of Gurdwara reform and therefore consciously or unconsciously, chose to adopt a policy of non-interference. This is illustrated in the lengthy correspondence of the British administration with regard to their policy towards the Akali Movement (in Singh, Mohinder, 1997, pp.77-78).

The policy of the British Government to refuse responsibility and the failure of the local officials to take precautionary measures to avert the Nankana Sahib tragedy became a subject of severe criticism both in the Executive Council of the Viceroy of India and in the Office of the Secretary of State for India in London.

The Government did its best to justify the inaction of the local officials on the plea that this was done 'with a view to avoiding any semblance of partiality towards one or the other of the two religious groups and more especially with a view to avoiding action that might drive the Sikhs generally, who had as a body, behaved most loyally during the War, into anything like opposition to the Government' (in Singh, Mohinder, 1997, p.39). A temporary ban was therefore imposed on the recruitment of Sikhs into the Indian Army.

In spite of strong criticism of the action of the local officials and establishing their responsibility for the tragedy of Nankana, neither the Viceroy of India, nor any other member of the British administration took any action against the concerned officials. However, the authorities did not make any attempt to take action against the

Gurdwara reformers either, when they took possession of the Akal Takhat Bunga (Amritsar), Babe di Ber (Sialkot); Panja Sahib (Hasan Abdal); Sacha Sauda (Sheikhupura); Chola Sahib (Amritsar) and various other Gurdwaras. It was only after the Akali Jathas' attempts to take possession of Darbar Sahib, Tarn Taaran and the consequent bloodshed, that a reassessment of the policy was undertaken by the British Government about the issues highlighted by the Nankana Sahib tragedy. The Government began to realise that it could no longer keep quiet and neutral in what it had so far believed to be a religious affair of a sensitive community.

### **3.3.2 First attempts at Gurdwara legislation**

The British offered to hand over the management of the Gurdwaras under their control to a Commission to be constituted for this purpose through an Ordinance which would be followed by a formal Act. The Punjab Government therefore now began showing a desire to produce an immediate legislative measure to solve the outstanding disputes.



This was in order to check the growing unrest amongst the Sikh masses in general and to check the growing unrest amongst the Sikh soldiers in particular over the issue of Gurdwara reform. The Nankana Sahib tragedy and the inaction of the local officials together with indirect responsibility of the local Government, made the higher authorities in Delhi and London think that there was an urgent need to change the earlier policy of non-interference in the Sikh's religious affairs although they were a minority community.

On 14<sup>th</sup> March, 1921, the Government of Punjab moved a Resolution in the Legislative Council formally appointing a three member Commission for resolving the disputes arising between the SGPC and the *Mahants* of the Gurdwaras regarding their claims to lands and other rights with respect to the shrines claimed by the SGPC from the *Mahants*. Mr. Ganpat Rai suggested the following amendment in the Resolution: 'provided that, if the Ordinance proposed appoints a Commission or Tribunal, it shall consist of not less than five non-official members' in order to represent the divisions within Sikhs. He voiced that this was due to the feelings of the *Sehajdhari* Sikhs<sup>21</sup>, who were

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<sup>21</sup> Non-initiated Sikhs who cut their hair.

battling statements made by the *Keshadhari*<sup>22</sup> Sikhs that only they represented the entire Sikh community. This introduction to the issue of representation within the Sikh community, despite claims of a 'representative' SGPC, was to become a recurring problem and common theme in trying to formulate satisfactory legislation for all Sikhs.

The Government had two alternatives which were to either issue an Ordinance which should be followed by an Act of the Provincial Legislature; or to go ahead for an official Gurdwara Reform Bill. An official letter of Mr. King, officiating Chief Secretary dated 17<sup>th</sup> March, 1921, addressed to the Secretary to the Government of India, Home Department revealed that the British administration in Punjab was disappointed at the lack of Sikh support for the reconciliatory measure of an Ordinance. A meeting was therefore suggested to be held with the Sikh members of the legislative council, with the intention that general legislation for the reform of Sikh shrines should be prepared and submitted by the summer of 1921 (Ahluwalia (ed.), 1985, p.111).

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<sup>22</sup> Sikhs who do not cut their hair (can refer to initiated or non-initiated).

Just as had been predicted, the Sikh members of the legislative council were dissatisfied. Comments from an official report about the Sikh members' reactions, revealed several interesting facts about the Gurdwara Reform Movement. Firstly, it revealed that the struggle for reform in Sikh shrines was highly emotive, the sentiments of which could not be encapsulated or defined within common parameters. Secondly, the difficulty with the terminology used revealed that the problem of 'ownership' was unique and unprecedented and it was therefore unlikely that there would be a satisfactory resolution:

They could not look on the fight of possession in the same light as in the case either of ordinary property, or even of that held in trust for religious endowments; since the advent of British rule the word 'possession' had come to acquire a special significance, with the result that those in possession as servants had been permitted to grow into actual owners, and that individuals were holding as personal property what rightly belonged to the whole Sikh community (Ahluwalia (ed.), 1985, p.1).

Thirdly, the report revealed an increasing problem with Sikh representation; a lack of cohesion between Sikh factions; and the absence of a united voice, which was also an inhibiting factor for satisfactory legislation:

They also argued that there were no sects in Sikhism and that there was only one party whose claims need be considered. The more conservative of the Sikh members contended that there were other sects whose interests had to be safeguarded, and in this they had the support of the Hindu and Muhammadan members who generally held that the procedure proposed by Government was the fairest method of effecting a settlement equitable to all concerned (Ahluwalia (ed.), 1985, p.112).

The Resolution was eventually passed but the Sikh legislative council explained that they were not willing to commit until the character of the legislation was more definitive. It was therefore decided that an Ordinance would be unsuitable and emergent legislation on the subject was be introduced in the legislative council on 5<sup>th</sup> April, 1921. The Akalis nevertheless felt that the British were weakening them with

promises of legislation, which they felt would be unsatisfactory. They also felt that the British were suppressing their tactics for reform under the pretext of maintaining law and order.

### **3.3.3 Demands of the Sikh community**

As a response to the unsatisfactory attempts at resolving Gurdwara reform through an Ordinance, another meeting of Sikhs representing the SGPC was held at the Akal Takhat, Amritsar, on 20<sup>th</sup> March, 1921, which called the Government to release any Sikhs who had been arrested during the struggle for Gurdwara reform. They decided that if this was not done by the 10<sup>th</sup> April, 1921 and if the proposed legislation was not by then found satisfactory, that Sikhs would be at liberty to deal with reforming the shrines themselves through any means necessary. The SGPC demanded: (i) the recognition of the control of all shrines claimed by them as Sikh shrines; (ii) the vesting of ownership in the shrines of all property belonging to such shrines, with a sufficient sum being allowed for the maintenance of the incumbents; and (iii) the

abolition of hereditary succession, to the office of incumbent (in Gandhi, 1993, p.59).

Realising that the enactment of a formal legislation would be time consuming but also realising that the need for reform was now urgent, the Government issued another Ordinance in March, 1921 (Singh, Mohinder, 1997, p.128). This Ordinance provided a three-man Judicial Commission which was to take charge of all the disputed cases in Gurdwara management. The Minister in charge of Religious Endowments, Fazl-i-Hussain, had suggested to the Governor-General to constitute a Commission consisting of three members, two of whom should be non-official Sikhs (all would be nominated by the Government); to extend the jurisdiction of the Commission over all the disputed Gurdwaras (those Gurdwaras which were contested or which it was alleged were not being managed in accordance with the rules laid down by the creator of the endowment and were not serving the purpose for which these had been created could be declared by Government to fall under the jurisdiction of this Commission); and to encourage the Commission to take upon itself the responsibility for the usual customary worship to continue in the Gurdwara under its

supervision (the charge which the Commission would hold of the Gurdwara to be viewed as temporary and not permanent).

This measure however, also failed to check the growing Sikh unrest. The Hindu members of the Legislative Council wanted representation for Hindus, Muslims and the various denominations of the Sikh *Dharam*, whereas the Sikhs wanted it to be an exclusively Sikh body. Therefore the Sikhs did not accept the proposal.

The House postponed further discussion on the proposed Bill itself, which was formally introduced in the House on 5<sup>th</sup> April, 1921, as the official Bill by Mian Fazl-i-Hussain who also proposed that the Select Committee should submit its report on 7<sup>th</sup> April, 1921.

The *Sikh Gurdwaras and Shrines Bill* was presented to a 12 member Select Committee which had been appointed to discuss matters with the Government and Punjab legislative council, a second attempt was made in the form of a draft Sikh Gurdwaras and Shrines Bill (Gandhi, 1993, p.90).

The Sikh grievances towards this Bill were that the trustees in charge of their religious and charitable endowments were still undesirable people who did not uphold Sikh values and in consequence the Gurdwaras were failing to perform those functions for which they were created; that the estates and income of these endowments were not being used in the way in which they were intended; and that the rightful beneficiaries of the endowments were not able to have reforms affected. Sikhs were therefore claiming for the possibility of the beneficiaries of the endowments to have a scheme prepared to carry out the objects of that institution. In order to ensure this object the Sikhs wished to regulate the appointment of the trustees so that abuses which existed with the *Mahants* could not be repeated (Ahluwalia (ed.), 1985, p.116).

On the other hand, the *Mahants* in possession of the Gurdwaras were arguing that the facts did not support the sweeping assertions of the Sikh reformers; that there were only a few individuals who were indulging in un-religious behaviour; that they themselves were ready to expel anyone unworthy; and that they should not all be unfairly condemned (Ahluwalia (ed.), 1985, p.116).



The crux of the matter was representation. The *Mahants* were arguing that they still identified themselves as Sikhs and that the definition of a Sikh and the way in which 'Sikhs' chose to worship, could not be imposed. The *Mahants* were implying that if they themselves as individuals were not corrupt, then the changed nature of worship at the Gurdwaras was due to a change in nature of Sikhs and therefore there was no need, or premise for reform.

The irony of the situation was that neither the Sikh Gurdwara Reformers, nor the *Mahants* wanted interference in religious affairs from the British Government. However, in order to remove the *Mahants* permanently, the Sikh Reformers needed the aid of British legislation.

In his speech Fazl-i-Hussain stated that after taking both sides of the argument into account, the British Government drafted the legislation on the decisions that no corrupt or immoral personality, regardless of how they identified themselves, had the right to remain at the head of a religious or charitable institution; that any income from an estate attached to a shrine and from the offerings at the shrine, should be spent in promoting the objects of that shrine; and that where a shrine is

obviously a shrine belonging to a particular sect it should remain in charge of that sect (Ahluwalia (ed.), 1985, p.117).

He argued that from the disputes it was clear that any legislation which aimed to resolve the immediate issues of Gurdwara Reform, needed to have a system embedded within it that resolved the following disputes and answered the following questions:

- Was a particular *Mahant* of bad character and unsuited to the high dignity of his exalted office as the spiritual head of a shrine?
- Were the funds of a particular shrine being misappropriated, misused, or diverted to objects personal to the *Mahant*?
- Were the particular estates the property of the shrine or the private property of the *Mahant*?
- Was a particular shrine or Gurdwara endowed by the Sikh community, or by a Guru, or by someone in memory of a Guru - and dedicated not to a particular sect but to the Sikh community as a whole?
- What was the best scheme of administration?

- What was the most suitable way of holding religious observances and ceremonies? (Ahluwalia (ed.), 1985, p.117).

In addition to the need for legislation to be formulated which took these questions into account, it was also determined that the aims for the Bill should be defined as 'what was conducive to ensuring the Gurdwaras and shrines should perform their proper function, namely the maintenance and furtherance of the Sikh religion'. This issue also became the subject of debate between the legislators. For the first time, the Sikh community was faced with the challenges of nomenclature, definitions and translations of their Sikh values, heritage and traditions, which needed to be articulated for incorporation into the British drafted legislation because the outcome of the Gurdwara Reform Movement depended on it.

Due to the imminent need for Gurdwara reform and the extraordinary ultimatums placed on the British administration by the SGPC, not only was a provision for Inquiry into the administration and management of certain Gurdwaras and shrines required, but a legislative Bill was also required which incorporated the creation of a SGPC Board of

Commissioners to supervise the administration and management of certain Gurdwaras and shrines in the Punjab. Issues of contention were again central to the question of representation; how would this SGPC Board be constituted and would members of the SGPC Board be impartial decision makers, or retain vested interests for their section of the community?

The Bill made provisions for a predominantly Sikh but impartial Commission of Inquiry into the management and administration of these institutions, which would look into their history, their objects and aims with a view to permanent settlement of the matter. It aimed to help both those who claimed for Gurdwara reform (the SGPC and the SAD) and those who wanted to retain the control and management of the institutions that they had served (the *Mahants*). It therefore tried to both enable the reformers to permanently remove any corruption; and at the same time, to protect any honest managers of religious institutions. The Bill also made provisions for contingencies if the contending parties (the Sikhs and the *Mahants*) wished to settle their mutual differences between themselves (Ahluwalia (ed.), 1985, p.121).

The proposal that the Bill be circulated for the purpose of eliciting opinion by the 15<sup>th</sup> May, 1921, was lost by a majority of 27 votes. Thereafter Fazl-i-Hussain moved his motion to propose that the Bill be referred to a suggested Select Committee which was requested to send in its report by 7<sup>th</sup> April, 1921, for presentation to the Council on 8<sup>th</sup> April, 1921 and the consideration of the report of the Select Committee was to be completed by the House on 16<sup>th</sup> April, 1921. Although the SGPC rejected the Bill and felt that it had not met their demands or given them rightful ownership of the Gurdwaras, the Select Committee reported on 8<sup>th</sup> April, 1921 and accordingly recorded concerns over the definition of Gurdwara and shrines; representation and constitution of the SGPC Board; and payment (Singh, Teja, 2000, p.218).

On 21<sup>st</sup> April, 1921, a conference was arranged by the British Government to bring the SGPC and the *Mahants* together for discussions. The points of agreement decided between the parties were that only those *Mahants* had the right to remain in charge of Gurdwaras who bore good character; that all Gurdwaras belonged to the whole *Panth* and should therefore be under *Panthic* Committees; and that regular accounts of the income and expenditure of Gurdwaras should

be kept and rendered to the public. Issues of contention still included qualifying what the aims of the Bill actually were (the Government had still not identified what was 'conducive to ensuring the Gurdwaras and shrines should perform their proper function, namely the maintenance and furtherance of the Sikh religion'). The qualification of the aims of the Bill would vary depending on the definition of a Sikh which the Government would choose (it had not yet been defined in the Bill). There was also dispute over the fact that the local Government was authorised to frame the rules necessary for the enforcement of the Act when passed (pertaining to the permission of the Commissioners and their terms of office; the restrictions to be imposed on the powers of the SGPC Board; and the transaction of business of the meetings of the SGPC Board).

Whilst Sikhs were concerned, Hindu members of the Council such as Raja Narendra Nath also voiced their apprehensions:

The Bill marked new departure in the history of Indian Legislation. It was not in consonance with modern ideas of the

co-relation of Church and state. It contravenes, under certain conditions, the wise policy followed by the British government in India of non-interference in religious matters and lends state aid to religious reform (in Gandhi, 1993, p.63).

The Bill, still unsatisfactory to the Sikhs, was presented to the Council in September, 1921. Although it was approved by the Select Committee this time, the Sikh Members of the Council did not support the measure. As a consequence, the Government finally dropped the Bill on 10<sup>th</sup> November, 1921.

### **3.3.4 Attempts for a second Gurdwaras Bill**

During a year's interval between the lapse of the first Bill (November, 1921) and the introduction of another (November, 1922), the Government made further efforts to find a solution to the Sikh problem. The Punjab High Court, Lahore, instructed all Judicial officers in the province to expedite pending cases of dispute over Gurdwara management. Deputy Commissioners were also instructed to grant

sanction in those cases wherein the party seeking reform wanted to institute proceedings to secure better management of the shrines (Singh, Kashmir, 1989, p.141). This change in the official attitude led to the moderates extending their cooperation to the Government to get their grievances redressed through legal means. The *Mahants* also adopted a more reasonable line of action upon realising that the authorities could no longer help them retain their hereditary positions in the face of popular opposition. In more than 15 cases the *Mahants* agreed to transfer property back to the Sikhs in the name of the concerned Gurdwaras (Singh, Mohinder, 1997, p.129). These, however, were measures of interim relief and did not provide any lasting and satisfactory solution to the problem of Gurdwara reform. The measures failed to convince the SGPC or the SAD that the Government wanted to help them achieve their objective.

In January, 1922, after failing to appoint a committee of Sikhs to overtake the management of Darbar Sahib, the Government instituted a civil suit for the settlement of a scheme of management of the sacred Sikh shrine (Singh, Teja, 2000, p.244). This civil suit for the settlement of a scheme of management was an important move which would concede



power from the Government to the SGPC; increase the resources and influence of the SGPC; and therefore also increase the chances of mass revolt against British administration. However, the SGPC was still unwilling to accept any proposed schemes whilst Akali prisoners still remained unreleased.

The Government realised that promises of 'sympathetic consideration' and their policy of winning over Sikh moderates by small concessions had failed to check the popular Akali movement. There were also still fears of the Sikh units in the British army revolting. The Viceroy of India therefore advised the British authorities in the Punjab to offer a permanent settlement by means of a Gurdwara Bill as the only substantial resolution to the problems. The draft proposed that there would be a tribunal of 3 Sikhs (one each to be elected by the SGPC and the Sikh councillors, and the third to be nominated by the Government).

The Bill gave the SGPC legal statutory recognition for the first time as being representative of Sikhs in Gurdwara reform by allowing them to elect one member of the tribunal. This tribunal was to have the complete authority of civil litigation in case of disputed Gurdwaras and

their property. While the SGPC was in a position to prevent the nominations of Sikhs from a limited number of candidates of provincial prominence to the single SGPC Board of Commissioners, it was unlikely that the SGPC could exercise such control over elections to numerous Gurdwara committees. If the SGPC or Sikh Councillors failed or refused to appoint members for the tribunal, the Government was to fill up those vacancies.

The Bill nevertheless remained a dead letter as the SGPC still felt that it failed to meet their objectives. Technical discrepancies also remained. The term Sikh Gurdwara was defined as 'a Sikh place of public worship erected by or in memory of, or in commemoration of any incident in the life of any of the Ten Sikh Gurus', but this statement held little authority or weight as there was still no definition of a 'Sikh'. Furthermore, it seemed that the Government still had no intention of releasing the countless Reformers still in jail.

Whilst the SGPC were rejecting the proposed Bill and giving this ultimatum, other moderate Sikhs were allying themselves with the

British Government to seek help in removing the SAD from the SGPC, as they felt the SAD was too extremist (Tuteja, 1984, p.75).

The SGPC and the SAD had in the meantime decided to oppose the Government measures by making counter propaganda; intensifying their campaign to defy the authorities; and at the same time to continue their pressure on the Government through the Sikh and Hindu members of the Central Legislative Assembly and the Legislative Council of the Province. They were sure that the British authorities would come to terms with the Sikh leaders in a bid to pacify them. The British authorities had realised that repression of the Sikhs beyond a particular limit was to prove counter-productive and that this would only strengthen the Indian National Congress. They therefore appointed Sir Malcolm Hailey (then Home Member in the Viceroy's Council) to study the Punjab situation personally and make his recommendations; and thereafter to appoint him as Governor of Punjab to implement the new line of approach.

On 7<sup>th</sup> November, 1922, Fazl-i-Hussain placed another Bill in the Punjab Legislative Council. Under this Bill the SGPC Board was to consist of

four members. The Sikh Council members boycotted the meetings of the Select Committee and the Bill was also rejected by the SGPC. The Government was nevertheless determined to pass the Bill and so after taking support from the Muslim members of the Council, much to the dismay of the Sikhs, the Bill was passed on 17<sup>th</sup> November, 1922, by a majority vote: 40 in favour and 31 against.

The Bill was attacked by the Sikhs as a temporary piece of legislation. In essence, even though the British administration recognised the representative authority of the SGPC (as illustrated in the following quotation), it was not given exclusive and legitimate control or management of the Gurdwaras.

Sir Malcolm Hailey's approach marked the beginning of an altogether new strategy for responding to the demands of the SGPC and the SAD. The British authorities were now to appease the SGPC by any means necessary with a view to dis-entangle any Akali-Congress alliance and thereby to weaken the nationalist movement against them. Hailey's report described two 'schools of thought' revealing this agenda:

The Bill enables us to claim that we have placed within the reach of the Sikhs a cheap and rapid method of getting rid of bad *Mahants* and preventing the squandering of resources meant for spiritual purposes. The second school, asserting that legislation itself never would, or never could, provide a proper solution, is in favour of waiting for a brief period after the passing of the Bill and then proceeding with the campaign of prosecution against the remaining members of the Parbandhak Committee (in Ahluwalia (ed.), 1990, p.152).

The *Sikh Gurdwaras and Shrines Bill* received the assent of the Governor on 24th November 1922 and of the Governor-General on 8th December 1922. Thus, it became the *Sikh Gurdwaras and Shrines Act No. 6 of 1922*, and was published as such in the *Punjab Gazette*, dated 22<sup>nd</sup> December, 1922.

### **3.3.5 The SGPC gains further autonomy**

In September, 1923, the SGPC resolved to run its own candidates in the forthcoming general elections for the Indian Legislative Assembly and the Punjab Legislative Council in the hope of navigating their own Gurdwara Bill through their representatives in the Council. This can be seen as somewhat of a turning point in the activities of the SGPC, with a clear focus towards politics, although this was done as the means for pursuing a successful outcome for the Gurdwara Reform Movement, a Movement which was religiously motivated. There was also still a clear emphasis for all candidates nominated by the SGPC to be initiated, practicing Sikhs, which stressed that their actions were to be guided by religious motivations; and an SGPC Communique was also issued for all the candidates to sign a declaration of loyalty to the SGPC (Sahni, 1960, p.260).

The participation of the SGPC's nominees in the elections evoked widespread interest among Sikhs. The proportion of Sikh electors which turned out to vote in the special Sikh constituencies was a significant increase on that which voted in the 1921 elections.

Moreover, the elections proved a landslide victory for the SGPC's candidates and secured exclusive control by the SGPC over Sikh representation in the Punjab Legislative Council.

Meanwhile, the activities of the SAD escalated and an order was issued by the Home Department of the Government of the Punjab on 12<sup>th</sup> October, 1923, declaring the SGPC and the SAD as 'unlawful associations', which led to the further imprisonment of hundreds of their members and activists. Immediately after the arrests, a new executive committee of the SGPC was constituted on 17<sup>th</sup> October, 1923, but the new executive committee was also arrested. Nevertheless, the reform activities of the SGPC and the SAD continued, being guided by their leaders from within the jail at Lahore Fort.

An attempt was made by the authorities to calm the relations between the Government and the Sikhs. Sir Malcolm Hailey and Viceroy Lord Reading, invited Commander-in Chief, Northern Command, General Sir William Birdwood to negotiate Gurdwara legislation with the SAD and to restore the 'friendship' between the Government and the Sikhs.

In order to arrive at agreeable Gurdwara legislation and to recover from this stalemate, notes were exchanged between the representatives of the Government and those of the SGPC. A draft resolution was then prepared based on Birdwood's recommendations, which was to be published simultaneously with the announcement of the personnel of the Birdwood Committee. The resolution emphasised that the need for release of Sikh prisoners and for the SGPC and the SAD to be lawful organisations once again, were primary conditions from the Sikhs for progressing Gurdwara legislation. However, it also highlighted that the condition for meeting these demands was that the British administration expected the SGPC's cooperation in implementing the outcome of the Birdwood negotiations (Singh, Ganda, 1965, pp.72-85). Despite a month of deliberations between the Birdwood Committee and the Sikh members of the Punjab Legislative Council, discussions failed in May, 1924. Due to the continuation of this stalemate, efforts were formally abandoned on 2<sup>nd</sup> June, 1924 (Gandhi, 1993, p.102).

The private papers of Hailey reveal that the attitude of the SAD towards the release of Sikh prisoners was a paramount factor responsible for the failure of the negotiations, but they also reveal the wrong assumption



by the British administration, which was that the Sikhs would be more likely to accept their legislation, the longer the SAD were in jail; an attitude which was completely opposite to the requests and demands being made by the SGPC. It reveals a conscious decision on the part of the British administration, to prolong the struggle. Edward Maclagan's letter to Hailey reads:

My feeling throughout has been that the longer the leaders are in jail, the more reasonable will the attitude of the Akalis become and that if the leaders now under trial received sentences of a deterrent character, we might find the Sikh population much more ready to put forward reasonable terms' premature (in Gandhi, 1993, p.103).

Hailey replied:

But I confess that it does not look to me as if the atmosphere will be ripe for such a settlement until we have hit the present leaders of the movement much harder than we have done so far; in fact

until they feel themselves that the game is up (in Gandhi, 1993, p.103).

### **3.3.6 Hailey's policies aggravate tensions**

It can be seen that Hailey's reason for a delay in releasing the prisoners was the hope for a definite assurance of a more stable climate before they were released and before further concessions for legislation were made. In order to achieve this 'stable climate' Hailey wanted a statement from the Akal Takhat or another formal declaration which confirmed that the SAD *Jathas* were dissolved and would not be reorganised; that there were no further questions about previous agitations; and that religious funds were not to be used for political purposes, with accounts being published of their actual use (Gandhi, 1993, p.103). Hailey felt that there had been too much inclination in the Punjab to let the Sikhs dictate terms and that real peace was not possible until the Government was able to dictate its terms to the Sikhs (in Gandhi, 1993, p.106). He re-emphasised his concern that

concessions such as the release of prisoners would be interpreted as weakness of the British by the SGPC and the SAD (Gandhi, 1993, p.106).

While the British Government tried to blame the failure of the negotiations on the uncompromising Sikh 'extremists'; the SAD accused the British Government of being untrustworthy and inconsistent having 'materially changed its policy during the course of the negotiations' (Singh, Mohinder, 1997, p.133).

For the purpose of strengthening the moderates against the extremists, Hailey encouraged the loyalist elements in the Sikh community to come out in open opposition to the Akali Movement. He instructed the district-level officials to organise Committees in every district containing Sikhs called '*Sudhar*' Committees. To coordinate the efforts of the various anti-Akali associations, he helped form a central body called a 5 member *Provincial Sudhar Committee*, at Amritsar which was dedicated to advancing Gurdwara legislation, which challenged the SGPC's position.

These *Sudhar* Committees consisted of the landed gentry, retired military officers and other title-holding Sikhs (Gandhi, 1993, p.106). Although Hailey denied that the *Sudhar* Committees were bodies officially sponsored by the British administration, in his private letters he confessed his support to them (Singh, Mohinder, 1997, p.134). Hailey then encouraged the officially sponsored *Sudhar* committees to unite in promoting a Gurdwara Bill and to deprive the SAD and their supporters in continuing the agitation (Gandhi, 1993, p.106).

Mohinder Singh summarises that Hailey executed a well-planned and carefully executed policy of splitting up the SAD leadership; separating the religious issues from the political ones; opening new fronts to divide the resources of the SAD; alienating Hindus and Muslims and also moderate Sikhs from the Akali cause; and organising anti-SAD associations (such as the *Sudhar* committees) to put forward counter-claims against the Akalis (Singh, Mohinder, 1997, p.133).

At this stage, national leaders like Pandit Madan Mohan Malaviya and Mohammed Al Jinnah intervened. Realising that Hailey was not prepared to negotiate with the SAD leadership or the nationalists and

realising that he was encouraging anti-SAD associations to draft a Bill on lines unfavourable to them, Pandit Malaviya drafted a Bill of his own in consultation with the SAD leadership. Pandit Malaviya then asked the Sikh Members of the Punjab Legislative Council to move the Bill and the Hindu Members to support it. In case the introduction of the Bill was not allowed in the Punjab Legislative Council, Pandit Malaviya had the alternative of introducing it in the Central Legislative Assembly on the grounds that there were also Sikh shrines outside the Punjab and hence there was need for an all-India legislation on the subject (Singh, Mohinder, 1997, p.134).

Pandit Malaviya thus hoped to get his Bill passed with the support of the nationalist Members of the Assembly. The moves of Pandit Malaviya and Jinnah seem to have compelled Hailey to change his earlier policy of allowing the movement to prolong itself indefinitely and not to compromise with the SAD on the Gurdwara Bill. Thus, on the one hand, he tried to persuade the Viceroy and Members of his Council not to allow the nationalist leaders to negotiate on behalf of the SAD leadership whilst on the other hand he also started negotiations with the Sikh Members of the Punjab Legislative Council through H. W.

Emerson, the Deputy Commissioner of Lahore, and Mr. F. H. Puckle (Singh, Mohinder, 1997, p.135).

In the third week of December, 1924, Bhai Jodh Singh took a leading role in the negotiations with the Government by forming a committee consisting of SAD members (Gandhi, 1993, p.115). Negotiations with the Government took place through Emerson and Puckle. This committee also prepared a draft of the Gurdwara Bill in consultation with the government functionaries and those of the SGPC. This Bill drafted with the SAD proclaimed SGPC as a central administrative SGPC Board, despite the antagonistic sentiment this might create with the British Government. The SGPC sub-committee also still insisted that all the SAD and SGPC members arrested were unconditionally released from jail.

### **3.3.7 *Sikh Gurdwaras and Shrines Bill, 1925* materialises**

After lengthy private discussions, the provisions for a draft Gurdwara Bill were made public in April, 1925. The *Sikh Gurdwaras and Shrines Bill*

of 1925 was still based on the principle that responsibility for the management and control of all Sikh religious institutions was to lie with the Sikh community. The Bill was envisaged to be a legal procedure by which Sikh Gurdwaras and shrines could be brought effectively and permanently under Sikh control and administration consistent with the religious views of the Sikhs, providing a scheme of purely Sikh management secured by statutory and legal sanction. This was to be done through the establishment of a Central SGPC Board which the Government was reluctant to establish, in order to ensure that the SAD would not automatically gain control of all Sikh religious institutions under the Bill. Hailey stated:

I and many others would have been glad if we could have avoided the institution of a central body, and could have placed the shrines entirely in the management of local committees...[we] dislike the idea of instituting a central Sikh body which is always liable to misuse for political purposes the position derived from religious causes. Nevertheless, those who know the position best assure us that...the Sikhs will not agree to legislation which does not recognise a central body of some kind...[thus] I am afraid that

our attempts must be limited to giving local committees as strong a position as possible and minimising the sphere of activity of a central body...we shall insist that the central body must have a regular constitution under the statute with defined powers and a proper electorate (in Kapur, 1986, p.188).

To achieve the object of the Act, the SGPC Board (SGPC), Committee, Tribunal and Commission came into existence. Administration of Sikh Gurdwaras and the executive control were to lie with the SGPC Board and Committee; and judicial functions were to be performed by the Judicial Tribunal or Commission. Disputes pertaining to whether a religious place was a Sikh Gurdwara or not and whether property was belonging to it or not, were to be dealt with by the Judicial Tribunal; and internal disputes between the SGPC Board and Committee were to be dealt with by the Commission.

Thus an elaborate scheme for the election of local Gurdwara committees to constitute the SGPC Board was laid out under Chapter VI of the Bill entitled 'The SGPC Board' which is a self-contained code dealing with the way and manner in which the SGPC Board is constituted, who it is



to compose of, and who is vested with the power to exercise its functions.

Section 43 of the Bill provided for the composition and constitution of the SGPC Board namely 84 elected members, 5 ex-officio or designated members and 12 nominated members by the Darbars of Patiala (4), Nabha, Kapurthala (2), Faridkot (2), Jind (1) and Kalsia (1). The elected, ex-officio and nominated members were together co-opt another 17 members that were Indian residents (with less than 4 being from Punjab). Provisions in the Bill for the election, nomination, designation and also co-option of the *Jathedars* of certain Takhats was in an attempt to constitute a representative SGPC Board of Sikhs both inside and outside of Punjab and to provide representation for the small Sikh communities in other parts of the country.

The elected members of the SGPC Board were to be elected by district-based constituencies. However, districts representing larger proportions of the Sikh population were to elect greater proportions of the elected members of the SGPC Board. The British hoped that the more varied and smaller the constituencies for election of Gurdwara

committee members, the less was the chance of the SAD obtaining exclusive control. Section 44 of the Bill detailed the constituencies for election of members to the SGPC Board. The constituencies for election of the SGPC members were to be demarcated by the Central Government after consultation. Subsection 44(2) provided for selection of 20 double member constituencies, each of which would return 2 Sikh members (1 scheduled caste and 1 non-scheduled caste). Subsection 44(3) authorised the Central Government, after necessary consultation, to select another 30 constituencies as double member constituencies each returning 2 members, 1 of which was to be a woman. Out of these 30 seats for women, 5 were to be reserved for scheduled caste women. The total number of constituencies were to be 120 out of which 70 were single member, and 50 were double member constituencies (selection of which was to be made by the Central Government in subsections (2) and (3)). The problem with the double member constituencies was that candidates were returned on the basis of their co-candidate. Women were entitled to contest all the 170 seats of the 120 constituencies, while Sikh males could not contest the 30 seats reserved for women in the constituencies. It was argued that measures were included in the Bill as a device to achieve equality through 'protective discrimination' against

traditionally minority sections of Sikh society or those with traditionally low political participation.

Sections 45 and 46 of the Bill laid out the qualifications of elected and co-opted members of the SGPC Board respectively. No qualification was given for the ex-officio members, because they were presumed as already fully qualified as they already held religious offices. Sections 45(1), 45(2) and 45(2A) state the disqualifications for election to the Central SGPC Board if a person is: of unsound mind; is an undischarged insolvent; is a *Patit*; is a minister of a notified Sikh Gurdwara other than the head minister of Darbar Sahib or any of the five Sikh *Takhats* (seats of authority of the Sikh *Dharam*); is a paid servant of any notified Sikh Gurdwara or of the SGPC Board other than a member of the SGPC Board's executive committee; being a *Keshadhari* Sikh is not an *Amritdhari*;<sup>23</sup> takes alcoholic drinks; not being a blind person cannot read and write *Gurmukhi*<sup>24</sup> (i.e. is deemed to be able to read *Gurmukhi* if he is able to recite Guru Granth Sahib in *Gurmukhi*, and is deemed able to write *Gurmukhi* if he is able to communicate his consent to become a member in *Gurmukhi*, in his own handwriting); is

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<sup>23</sup> Being a Sikh who does not cut their hair (*Keshadhari*), but is not *Amritdhari* (initiated).

<sup>24</sup> The original script of the Sikh Sacred Scriptures.

not registered on the electoral roll of any constituency; or is less than twenty five years of age. Section 45 (3) allows a *Patit* to stand for election, but states that if an elected person is found to be a *Patit* by the Commission, then his election is void. Section 46 which lays out the qualifications of the co-opted members are almost identical, other than that the person is not required to be registered on the electoral roll of any constituency. Another difference is that section 46(ii) states that a person shall not be co-opted as a member of the SGPC Board if they are not a Sikh, but there is no statutory provision to stop non-*Keshadhari* Sikhs from being co-opted. Section 52 states that a member will cease their position on being subject to any of the mentioned disabilities in sections 45 and 46.

Section 47 and subsections of 47A went on to state that the elections of SGPC Board members and Committees were to be held on the dates fixed by the Central Government, the superintendence, direction and controls of which were to be vested in the Gurdwara Election Commission (a temporary body which is reconstituted by the Government every time elections are required).

Sections 48 stated that an electoral roll was required to be prepared for every constituency, and section 49 went on to state that electors should be: resident in the respective constituency; be a Sikh; be over 21 years of age; not trim or shave his beard or *keshas* (hair); not smoke; and not take alcoholic drinks. Section 50 conferred the right to vote on registered voters. In plural constituencies, every voter was entitled to cast 2 votes for both reserved category, and general category candidates.

Section 51 describes the term of membership of the SGPC Board. It states that members of the SGPC Board shall hold office for three years from the date of its constitution or until the constitution of a new SGPC Board (whichever is later). This ultimately fixed the minimum tenure of members as three years unless they were subject to disqualification, and no maximum time limit was prescribed by the Bill either. There was also no provision included for dissolution of the SGPC Board, and members could continue to hold office until a new SGPC Board was constituted. Section 52 stated that in the case of disqualification, or in the case that a member was removed if they did not attend three consecutive general meetings, that they could have restored membership on application within a month of the removal in the next

general meeting, and such restoration was allowed up to three times. Vacancies on the SGPC Board were to be filled through appropriate election or co-option depending on the position to be filled (s.53). It was incumbent upon the SGPC Board to meet once annually (s.55). At its first such meeting the SGPC Board was to elect by ballot a President and Vice-President and an executive committee of between five and eleven members (s.62) who would hold office for a year until the next annual general meeting and who would in practice have co-extensive powers with that of the SGPC Board.

Under s.85(1), the Central SGPC Board was to be the Management Committee of Akal Takhat, and Takhat Sri Kesgarh Sahib, and provide management and administration in the capacity of property, endowments, funds and income (s.85(2)). In addition, every Sikh Gurdwara or shrine or groups of them were to have their own local committee of management subordinate to the Central SGPC Board over which the SGPC Board was also to exercise supervisory control. Section 87 stated that each local committee was to consist of five members, out of which, at least one member was to a Scheduled Caste. All members whether elected or nominated, were to be residents of the district, or

resident of one of the districts in which the Gurdwara or Gurdwaras were to be managed. For Gurdwaras with over Rs. 3000 income per annum, one committee was to be constituted for one Gurdwara or more than one Gurdwara if they happened to be situated in the same locality. Any changes or modifications were to be made by the local Government after consultation with the SGPC Board. Each committee was to have a President and a Vice-President. For Gurdwaras with annual income less than Rs. 3000 per annum, all the members of the committee were to be nominated by the SGPC Board. These local Gurdwara committees were to meet at least three times a year. The Darbar Sahib and all other Gurdwaras within the limits of Amritsar municipality were to have one such Gurdwara committee, as were six other important groups of Sikh shrines, such as those at Nankana, Tarn Taaran and Anandpur. The qualifications for election or nomination to committee (sections 90 – 91) corresponded identically with the provisions laid out in sections 45 – 46 for the SGPC Board. Similarly, the qualifications of electors in s.92 corresponded identically with the qualifications for the electors of the SGPC Board in s.49. Under s.93, it was stated that every person registered on the electoral roll had the right to vote in that constituency only.

Under s.127, the SGPC Board was given the power to hold and administer trusts for religious or charitable purposes, and under s.133, the committees were given the power to control:

All properties and income of whatever description belonging to the Gurdwara under its management, and of enforcing the proper observance of all ceremonies and religious observances in connection with Gurdwara or Gurdwaras and of taking all such measures as may be necessary to ensure the proper management of the Gurdwara or Gurdwaras and the efficient administration of the property, income and endowments thereof.

Detailed rules were further laid down for the use of Gurdwara income (Chapter IX of the Bill) and each Gurdwara committee was to publish regular accounts open to the public in the hope that even if the SAD swamped the elections to the Central SGPC Board, the Government hoped to ensure that their access to vast Gurdwara funds would be limited. Moreover, the fact that Government did not allow the Central SGPC Board to have all powers or funds concentrated in its own hands



(the local Gurdwaras were to have their own local bodies of management with one nominee of the Central SGPC Board) meant that they aimed in theory to make the powers and funds of the SGPC Board decentralised, and the local Gurdwara bodies more powerful.

Although the Bill included a list of Sikh Gurdwaras and shrines (Schedule I), it was laid down that any fifty or more Sikh worshippers above the age of 21 years could, within one year of the passage of the Bill, apply to the Punjab Government for the notification of a particular place of religious worship as a Sikh Gurdwara or shrine. Such a petition could not, however, apply to an institution specified in a schedule to the Bill. Further, when a notification that a particular religious institution was a Sikh Gurdwara had been published by the Government, any hereditary office-holder of that institution, or twenty or more of its worshippers, could within ninety days, petition the local authorities against the declaration. These petitions were to be considered by a Judicial Tribunal established under the Bill (detailed in Chapter VII of the Bill). The Judicial Tribunal was to consist of three members, all of whom were to be Sikhs, who were in addition to be district or subordinate judges, barristers, advocates, or *vakils* (lawyers)

of ten years' standing. It was to be presided over by a judge of the high court. The three members of the tribunal were to be chosen by the government from a panel of seven names submitted to it by the Central SGPC Board. The Judicial Tribunal was further responsible for settling disputes regarding the removal of *Mahants*, and specific conditions were laid down under which a *Mahant* could be removed from his office. In such an eventuality the proper payment of compensation to the *Mahant* was also laid down, which was to be paid from Gurdwara income.

The interaction of and relationship between the SGPC Board, the local committees and the Judicial Commission was explained in s.41 of the Bill, which requires that the management of every notified Sikh Gurdwara shall be administered by the Committee constituted thereof, the SGPC Board and the Commission, in accordance with the provisions of Part III. Under s.41 the SGPC Board and each Committee separately had the power to administer every Gurdwara in accordance with the provisions made for this purpose in Chapter VI and Chapter VIII respectively also. The section entrusted the management of the day to day affairs of the Gurdwara and that any disputes or differences

arising out of certain specified matters would only go for settlement to the Judicial Commission. Such disputes or differences would indeed arise occasionally; and for harmonious and proper management of every Gurdwara, prompt settlement was required by an independent forum. 'It is for the fulfillment of this object that provisions have been made for a Judicial Commission to be constituted' (Singh, Kashmir, 2004a, p.312).

This *Sikh Gurdwaras and Shrines Bill* was introduced in the specially convened session of the Punjab Legislative Council at Shimla on 7<sup>th</sup> May, 1925, as a private member's Bill and then referred to a Select Committee which submitted its report on 20<sup>th</sup> June, 1925. Tara Singh commented extensively on the Bill, reinforcing the objects of reform which dictated the content for the Bill as being to bring Gurdwaras under *Panthic* control and management; to do away with the permanent position of the *Mahants*; to utilise the property and income of the Gurdwaras for the purposes for which they were founded and save it from being wasted in luxurious and immoral living (the revenues of the shrines were to be administered for certain purposes specified in the

Act and for no other, i.e. on religious, charitable or educational purposes, that their accounts are to be properly kept and properly audited and are to be open to inspection); and to conduct religious ceremonies in Gurdwaras in accordance with the teachings of the Gurus and the Guru Granth Sahib.

He also went on to state the subjects that the Bill dealt with in order to address these objectives. These subjects were determining what places of worship were Gurdwaras; determining how such places were to be declared as Gurdwaras; and how these declared Gurdwaras were to be brought under the new control. Additionally the Bill also necessarily dealt with what property belonged to these Gurdwaras and how that question was to be decided (through the independent Tribunal); how the persons adversely affected by this change in the management were to be compensated for (through a statutory recognition to a principle whereby persons dispossessed as a result of the Bill were to be entitled to financial compensation); and how the places of worship declared to be Sikh Gurdwaras were to be managed and by whom (through a form of popularly elected committee i.e. the representatives of the

congregation – the committees would be a central body with certain general powers of supervision and control and in principle, in a purely internal dispute which concerns the Sikhs alone, regarding the administration or the management of the shrine, the final decision shall rest with a purely Sikh body), (in Ahluwalia (ed.), 1985, pp.221-225).

The President of the House recommended that as suggested in the report of the Select Committee, the Bill be re-published. The finale to the debate came with an address delivered on 9<sup>th</sup> July, 1925, by Hailey to the members of the Punjab Legislative Council at Shimla on the conclusion of its special session convened for passing the Gurdwara Reform Bill.

The Governor's speech below is an important landmark in the history of Gurdwara reform because it aimed to justify and explain on the part of the British Government, why the creation of the legislation was the only means to end the Gurdwara Reform Movement:

It is true that large numbers were impelled to these courses, mistaken and dangerous as we ourselves held them to be; by a

sense of offence to their religion. We deplored that belief; we denied that there was anything in our law or the administration of justice which interfered with the freedom of religious worship; and we claimed that if there was anything which militated against the religious developments which Sikhs sought to secure, or against the attainment of a better management for their religious institutions, a remedy could be found in legislation. We believed that a statute could be framed which, while it would not unduly prejudice the rights of others, would meet any legitimate claim which reasonable and religious-minded men of the community could advance. If in the long and troubled chronicle of those events, much has to be recorded which has resulted in resentment of the action of Government, and much that we have had to deplore in the attitude of some members of the community, yet history will at least render us this tribute, that we never ceased our efforts to secure and even to promote legislation of this nature, for there was, at the back of all this trouble, a difficulty of real substance, which only a change of law could rectify (in Ahluwalia (ed.), 1985, pp.271-272).

The Bill became an Act (Punjab Act VIII of 1925) on receiving the formal assent of the Governor General of India, Viceroy Lord Reading on 28<sup>th</sup> July, 1925 and became known as the *Sikh Gurdwaras Act, 1925*. Despite the various oppositions to the Bill, on the 5<sup>th</sup> October, 1925, the SGPC passed the following resolution in its general meeting:

The Shiromani Gurdwara Parbandhak Committee, for some years past, had been endeavouring to achieve legislation securing to the *Panth* full control and management of the Sikh Gurdwaras. Now the Sikh Gurdwaras Act, 1925 based on the deliberations of the Sikh councillors with the present workers of the Parbandhak Committee and the Sikh leaders in jail, has been placed on the Statute Book and in spite of some shortcomings, the Act satisfies the essential and fundamental demands of Gurdwara reform and as also our leaders in the Lahore Fort have appealed to the *Panth* to accept the Act and work it whole-heartedly, the Parbandhak Committee hereby declare its acceptance of the Act and calls upon all the Sikhs to cooperate in the operation of the Act (in Gandhi, 1993, p.122).

The following letter from Hailey, dated 11<sup>th</sup> October, 1925, to Sir Alexander Muddiman, Home Member, reveals that concessions to the Sikh demands over the content of the Act had not been granted on purpose, in order for the British to retain some level of authority over the Sikhs (a hasty but not unrealistic assessment of the Sikh demands). It also highlights the reservation that the British still held over the Sikhs and how the Act would be implemented:

It is of course perhaps possible that the Act will not be worked in as friendly a spirit or with such good will as would have been the case if we had made a complete surrender to the demands of the Sikhs...We have not yet learnt that the Sikhs are capable of understanding the meaning of compromise, or of appreciating an act of generosity. If we had made a complete surrender to them, the Act could have been worked, not so much in a spirit of good will, but in an atmosphere of triumph, and there is nothing worse for the Sikh mentality than the belief that he can by sufficient obdurance always push Government to any length of concession which he may desire (in Ahluwalia (ed.), 1985, p.428).



The Act came into force on 1<sup>st</sup> November, 1925 with a gazette notification from the Government of Punjab repealing the *Sikh Gurdwaras and Shrines Act, 1922* and the first Gurdwara elections were held in June, 1926. Despite attempts by the Government to prepare their own candidates to the Central SGPC Board, the SAD won an overwhelming majority.

### **3.4 Initial reactions to the Sikh Gurdwaras Act, 1925**

Having discussed in detail the origins of the Gurdwaras Act, 1925, this section now examines historical sources to learn about initial reactions to it.

Tara Singh, mover of the Bill in the Punjab Legislative Council had argued that:

From a Sikh point of view, it is not an ideal Bill. I will rather call it a compromising measure necessarily accompanied by shortcomings (in Ahluwalia (ed.), 1985, p.208).

For example, the Government had agreed to having a central body (the SGPC) for the management of Gurdwaras. However, the SGPC and its allied organisations (the SAD) had been declared unlawful by the Government in October, 1923. Although the Government faced much opposition, it declared this central body to be named the Central Board, not the SGPC. This faced opposition because the SGPC had hoped it could retain its title as it had gained familiarity amongst the Sikh community. Tara Singh stated the dissatisfaction which remained with the legislation:

...A deficiency is that the central body is not at once designated as the Shiromani Gurdwara Parbandhak Committee. This has been left to the SGPC Board subject to the approval of the Government. Here too, it is a matter of principle and deep sentiment to the Sikhs, a compromise has been made, out of

deference to the hesitating official mind (in Ahluwalia (ed.), 1985, p.208).

Fazl-i-Hussain suggested however, that although the Government had named the body the Central SGPC Board, it could still rename itself the SGPC by its own resolution (as allowed in s.42 of the Bill). Just as had been pre-empted, at its first meeting on 2<sup>nd</sup> October, 1926, the Central SGPC Board unanimously decided to name itself the SGPC, and the Punjab Government authorised this through a notification as required by s.42 on 17<sup>th</sup> January, 1927. The Government also repealed its order of unlawfulness through a notification a few months earlier on 13<sup>th</sup> September, 1926, thereby formally recognising the SGPC as the representative body of the Sikhs.

However, Tara Singh also reinforced the acceptability of the Bill to the British administration, by reiterating that it had been framed in consultation and collaboration with them. Similarly, Hailey reiterated the Sikh input into the content of the legislation, and how that should be a precursor to its success:

It has already this in its favour; it is a Bill promoted by Sikhs themselves, and accepted in this House by other communities with a cordiality which has obviated the necessity of a single dividing vote. It is freighted with the hopes of Sikhs for their future tranquillity and the religious security of their community; it is launched amid the fair auspices of good-will from others (in Ahluwalia (ed.), 1985, p.273).

He went on to appease any contention from Sikhs by imploring them to trial the Bill, not to magnify its defects and to accept that it was a substantial measure which conceded most of their demands. Raja Narendra Nath commented that the Bill was a template which could be adopted by Hindus and Muslims also (Ahluwalia (ed.), 1985, p260). Dr. Gokul Chand Narang commented that:

They (the Sikhs) have got this extraordinary measure...It has placed tremendous powers in their hands...I am sure that my Sikh friends will keep this spirit in view and will walk in the footsteps of their Gurus and will use this power to the advantage

not only of themselves but to the advantage of all the communities in this country (in Ahluwalia (ed.), 1985, p.270).

Mr H. D. Craik (Chief Secretary) said that despite the ill-informed opposition to the Bill, the majority of public opinion was positive. He highlighted that the legislative principle for the places of worship of any religion to be declared the property of the adherents of that religion; and for the ministers of those temples to be deemed the trustees and not the owners – were measures of great importance.

This suggested that despite any shortcomings in the legislation, the fact that it existed was of greater benefit to all concerned, than if it did not exist. In defence of legislation for religious institutions, the Government-appointed Hindu Religious Endowments Commission, in 1960 concluded that:

Where some type of legislation has been attempted in respect of religious endowments, it has been found possible to maintain a minimum degree of efficiency and a legitimate disposition and utilisation of funds of the institutions concerned. Where,

however, there has been no legislation at all, that position has been most unsatisfactory (in Singh, Kashmir, 1989, p.8).

Legislation theoretically had the potential to reform, to combat corruption, to streamline administration and to channel resources, but this was dependent on its implementation.

The most fundamental principle of the Act was that the Sikh Gurdwaras or shrines were the heritage of the *Panth* (Sikh community) and would be controlled and managed by/through a central representative elected body effectively supervising the work of all the committees of management (of single Gurdwara or groups of Gurdwaras as the case may be) to be constituted under the proposed enactment (Singh, Kashmir, 1991, p.19).

This approach marked a complete departure from the approach of the *Sikh Gurdwaras and Shrines Act, 1922*. The Sikhs initially had demanded that the Gurdwaras were Sikh institutions to be controlled and managed by them only, but the Government's contention was that there were other parties also whose interests were closely connected with

those of the Sikhs and therefore any settlement was needed to be acceptable to all such parties. In the 1925 Act, the Government accepted the plea of the Sikhs, which was a monumental achievement in itself.

‘The Sikh Gurdwaras Act of 1925 represented a complete British withdrawal from an institutionalised connection with Sikhism’ (in Singh and Barrier (eds.), 1999, p.165). On the surface, the tensions between the British and the Sikhs had been quelled. In a conciliatory gesture, the ‘hand of friendship’ extended by Hailey was accepted by Tara Singh despite Sikh grievances over the Act (Ahluwalia (ed.), 1985, p.258). Tara Singh when moving the resolution that the Sikh Gurdwaras Bill be passed, also refuted any claims of ulterior motives of the Sikhs for disagreement with the Government, and emphasised that any conflict was purely motivated for the purpose of Gurdwara reform:

I know, Sir, that many responsible persons of the reforming party are feeling that the Bill as it stands has its own imperfections and shortcomings, but in spite of that Sir, I am really thankful to them that they have refuted the charge that was laid by interested persons against them and they have proved their bona fides that

they are prepared to lend support to any legislation which meets most of their fundamental requirements (in Ahluwalia (ed.), 1985, p.258).

Despite the 'imperfections and shortcomings' of the Act it was clear that the 'fundamental requirements' behind its creation had been met. These 'fundamental requirements' were to maintain the dignity and honour of the Gurdwaras and Guru Granth Sahib; to bring the Gurdwaras under the control and management of the Sikh community; to put an end to the system of *Mahants*; to utilise the property and income of the Gurdwaras for the purposes they were founded; and for Sikhs to be able to practice the Sikh *Dharam* according to the teachings of the Sikh Gurus in the Guru Granth Sahib, within their Gurdwaras. Although the Sikh Gurdwaras Act as it was passed in 1925 does not refer to any special objectives to be pursued, Tara Singh, in his speech while introducing the Bill in the Legislative Council highlighted these aims and Mr. J. Coatman, Director of Public Information, in his note entitled 'India in 1925-26' also referred to the same objectives (Singh, Kashmir, 1989, p.212).



The immediate purpose of the Act as stated in the preamble and recorded on the statute book on 28th July, 1925, was to provide for 'better administration of certain Sikh Gurdwaras and for inquiries into matters and settlement of disputes connected therewith'. An extract from the Statement of Objects and Reasons of the Sikh Gurdwaras Act, 1925 reads:

1. The present *Sikh Gurdwaras and Shrines Bill* is an effort to provide a legal procedure by which such Gurdwaras and Shrines as are, owing to their original and habitual use, regarded, by Sikhs as essentially places of Sikh worship, may be brought effectively and permanently under Sikh control and their administration reformed so as to make it consistent with the religious views of that community. The *Sikh Gurdwaras and Shrines Act, 1922* that is to be repealed by the present Bill, failed to satisfy the aspirations of the Sikhs for various reasons. One, for instance, was that it did not establish permanent committees of management for Sikh Gurdwaras and Shrines. Nor did it provide for the speedy confirmation by judicial sanction of changes already introduced by the reforming party in the management of

places of worship over which it had obtained effective control. 2.

The present Bill provides a scheme of purely Sikh management, secured by statutory and legal sanction, for places of worship which are decided either by the Legislature or by an independent tribunal set up for the purpose, or by an ordinary Court of law, to be in reality places of Sikh worship which should be managed by Sikhs.<sup>25</sup>

The Punjab and Haryana High Court also referred to the Object of the 1925 Act as 'the better administration of Sikh Gurdwaras' (*Mahant Lachman Dass Chela Mahant Ishar Dass vs. State of Punjab*, 1968, in Singh, Kashmir, 2004a, p.73). The High Court also observed that 'the Object of the Act is to provide machinery for determination of question whether a particular Gurdwara is or is not a Sikh Gurdwara and what right, title or interest in immovable properties belong to such Gurdwaras' (*Mahant Ishar Dass L. R. of Mahant Mela Ram vs. SGPC*, 1993 in Singh, Kashmir, 2004a, p.73). The Lahore High Court held that the purpose of the Act was to settle all disputes as to whether the Gurdwara concerned, or some other possible claimant, was owner of the property right claimed

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<sup>25</sup> Preamble of Sikh Gurdwaras Act, 1925.

on behalf of the Gurdwara (*Amarjit Singh vs. SGPC, 1936* in Singh, Kashmir, 2004a, p.73).

According to the Supreme Court of India:

The whole object of the Act was to reduce the chances of protracted litigation in a matter of religious sentiments of a large section of a sensitive people proud of their heritage. The long history of the struggle of Sikhs to get back their religious shrines...makes it simply clear that the intensity of the struggle, sacrifice and shedding of blood had made the Government of the day realise that a speedy remedy should be devised and accordingly the procedures prescribed in sections 3 and 7 have been innovated (*Dharam Dass vs. State of Punjab, 1975* in Singh, Kashmir, 2004a, p.74).

The Supreme Court also highlighted the importance and purpose of the Statement of Objects and Reasons:

Reference can be made by the Court to the Statement of Objects and the Reasons for the enactment of a statute for the limited purpose of ascertaining the conditions prevailing at the time which actuated the sponsor of the Bill to introduce the same and extent and urgency of the evil which he sought to remedy (*M. K. Ranganathan vs. Government of Madras*, 1995 in Singh, Kashmir, 2004a, p.74).

## **Conclusion**

The five years of the Gurdwara Reform Movement involved a bitter struggle between the Sikh community and the British administration. 1920 saw the formulation of the SGPC and the SAD as a result of the historical situation created by the presence of the British in India. The Nankana Sahib tragedy in 1921 can be seen as a turning point in the relationship between the Sikhs and the British administration. A Commission was subsequently set up by the British to resolve disputes between the *Mahants* and the SGPC and the Sikh Gurdwaras and Shrines Bill was drafted in 1921. Unable to secure the support of the

Sikh community for this Bill, another attempt was made in November, 1922 which the British passed without Sikh consent. The resentment caused by this move, ironically led to the increased power of the SGPC following a decision in 1923 for SGPC candidates to sit for election in the Indian Legislative Assembly and Punjab Legislative Council, in order to gain more seats to influence the content of the legislation. 1924 saw a 'stalemate' between the British and the Sikhs, leading to a failure in the Birdwood negotiations. Subsequently, after failing to come to a resolution after four years, the British drafted a Bill in collaboration with the SAD, the drafts of which were made public in April 1925. This was the Sikh Gurdwaras and Shrines Bill of 1925, which became an Act in November 1925.

Through a historical narrative, this Chapter has highlighted that the factors which affected the creation of the Sikh Gurdwaras Act, 1925 included in particular, the relationship of the British administration towards the Sikh community. At first this was one of refusing to take responsibility or the blame for the *Mahants*. It was also one of refusing to compromise by not allowing the release of the SAD prisoners who had been jailed for trying to reclaim the Gurdwaras from the *Mahants*

for the Sikhs. This led to a unique and peculiar situation which it was felt could only be overcome by legislation in order to secure a satisfactory and permanent solution.

The policy of non-release of prisoners by the British, coupled with the Sikh dissatisfaction with British legislative attempts to resolve the Gurdwara Reform Movement, exacerbated the time taken to resolve the issue. This was further problematised with issues of representation, complaints from minority Sikh communities, the concerns of Hindu and Muslim communities, and the need for clear and united parameters from the Sikh community on the definition of Sikh identity, the definition of a Gurdwara and the need for defining the evolving role of the SGPC as a spokesperson, representative or implementer of legislation, for the Sikh community.

The Sikh Gurdwaras Act, 1925 therefore came about as a result of a unique and exceptional religious, political and historical scenario created by the Gurdwara Reform Movement. It met its immediate short term objectives and aims; and addressed the needs of the Gurdwara Reform Movement by putting an end to the struggle of the reformers. It

acknowledged the right of Sikhs to manage their own places of worship by giving them the victory of regaining control of the Gurdwaras from the British Government in India. It was also recognised, that the remaining *Mahants* were not the proprietors but the temporary custodians of Gurdwaras and Gurdwara properties. It acknowledged that the Gurdwaras were the heritage of the Sikhs and would be managed and controlled by a body elected by the adult Sikh community, thereby establishing official recognition of the independent status of the Sikh *Dharam* and of Sikh identity statutorily. The Act lawfully placed the management of the Sikh shrines in the hands of the representatives of the Sikhs through a scheme of purely Sikh management, secured by statutory and legal sanction, for places of worship which were decided either by legislature, an independent tribunal, or by an ordinary court of law, to be in reality places of Sikh worship which could be managed by Sikhs.

By evaluating, exploring and highlighting the historical context and factors leading to the creation of the Sikh Gurdwaras Act, 1925 and the existence of the SGPC and the SAD in detail; this chapter has constructed a narrative of the Gurdwara Reform Movement. By

establishing the context of the Gurdwara Reform Movement, Gurdwara legislation and Gurdwara management, it has also set the necessary framework and perspective for undertaking the evaluation of the consequences, implementation and implications of the Sikh Gurdwaras Act, 1925 in the rest of this study. The following chapter thus builds on the context established by the historical narrative and engages in a focussed evaluation of the jurisdiction and constitutional validity of the Sikh Gurdwaras Act, 1925 in the long term before moving on to its theological evaluation.



## **CHAPTER FOUR – JURISDICTION AND CONSTITUTIONAL VALIDITY OF THE SIKH GURDWARAS ACT, 1925**

Having established the historical factors leading to the creation of the Sikh Gurdwaras Act, 1925, the SGPC and the SAD; and having outlined its short term successes, this chapter now questions the long term success of the Act by evaluating its jurisdiction and constitutional validity.

The short term success of Sikh Gurdwaras Act, 1925 as outlined in the previous chapter, was that it put an end to the struggle of the reformers. The Act lawfully placed the management of the Sikh shrines in the hands of the representatives of the Sikhs through a scheme of purely Sikh management, secured by statutory and legal sanction, for places of worship which were decided either by legislature, an independent tribunal, or by an ordinary court of law, to be in reality places of Sikh worship which could be managed by Sikhs.

Hailey's speeches however also somewhat prophetically revealed that the ultimate test of whether the legislation was successful would be in

its implementation. For example Hailey and Dr. Gokal Chand Narang both stated that the success of the Act was dependent on the spirit and temper in which the Sikhs approached its administration (in Ahluwalia (ed.), 1985, pp.229-30). Advising on how Sikhs should approach its administration, Professor Ruchi Ram Sahni had suggested during the Legislative Council Debates that 'the Sikhs should apply tact, good sense and patience, proceeding slowly and courageously' (in Ahluwalia (ed.), 1985, pp.264-265).

This chapter highlights how the Sikh Gurdwaras Act, 1925 has led to a replication of the SGPC model for managing Gurdwaras outside of the remit of the Act and how, despite the purpose of the Act, there is still scope for continued Governmental interference in Gurdwara management, particularly under the *Constitution of India*. The main source consulted for the evaluation of the jurisdiction and constitutional validity of the Act is the Sikh Gurdwaras Act, 1925 itself, however the analysis is supplemented with relevant case studies of judgements made by cases brought to the Courts of Law, which have impacted upon the role of the Government in Gurdwara management under the *Constitution of India*.

#### 4.1 Jurisdiction of the Sikh Gurdwaras Act, 1925

In 1925 the Act was applicable to the Sikh Gurdwaras in the united (British) Punjab, until the partition of India and Pakistan on 15<sup>th</sup> August, 1947. Originally 241 Gurdwaras were entered into the Schedule, but the SGPC reported that this had increased to 761 by 1947 in their Annual Report of 1951 (Gandhi, 1983, p.217). After partition, 179 Gurdwaras (65 of which were out of the 241 original Gurdwaras governed under the provisions of the Act), remained in Pakistan.

After partition of India in 1947, there were several failed attempts at providing an All India Sikh Gurdwaras Bill. In 1953, the SGPC sponsored an *All India Gurdwaras Bill* in the Union Parliament in 1953, and in 1957 the Executive Committee of the SGPC had passed a resolution requesting the Law Commission of India to recommend a draft of the *All India Sikh Gurdwaras Bill* to the Government for adoption. These efforts being of no avail, the original Sikh Gurdwaras Act, 1925 was extended in 1959 to be made applicable in Patiala and East Punjab States Union (PEPSU). The *Punjab Reorganisation Act, 1966*, converted the Sikh Gurdwaras Act into an inter-State Act applicable to

Punjab, Himachal Pradesh and Union Territory of Chandigarh. The SGPC continued to demand for an All India Gurdwaras Act, and passed the resolution demanding it, seven times between 1966 and 1980 (Singh, Gobinder, 1986, p.247). The most recent attempt was the *All India Gurdwaras Bill, 1999*, but it is still not legislated and remains an unresolved issue.

At present the Sikh Gurdwaras Act, 1925 applies to the whole of the State of Punjab as formed by section 11 of the States Reorganisation Act, 1956 (Parliament Act No. 37 of 1956), which extended the Act into PEPSU. Section 1(2) of the principal Act was amended to read 'it extends to the territories, which immediately before the 1<sup>st</sup> November, 1956, were comprised in the states of Punjab and Patiala and East Punjab States Union (PEPSU)'. This extension increased the number of Gurdwaras under the jurisdiction of the Act by 176.

In 1959, the *Amending Act* added 173 more Gurdwaras to it within the State of PEPSU. In 1978 the SGPC was declared an Inter-State Corporation by the *Punjab Reorganisation Act, 1966* and the Sikh

Gurdwaras Act was placed on the Schedule of the *Inter-State Corporation Act, 1957*. This adaptation transferred the responsibility for the administration of the Sikh Gurdwaras Act (except in respect of the clauses pertaining to auditing of the Accounts for SGPC) from the Government of Punjab to the Central Government. A further Amendment to the Act in 1987, meant that all Gurdwaras with an annual income over Rs. 25,000 were to be administered directly by the SGPC.

#### **4.2 Replication of the SGPC model of management**

The SGPC Board is effectively the supreme governing body of the Gurdwaras in Punjab, Haryana, Himachal and Chandigarh, and has the power to rename itself under s.42 of the Act, although it has been operating as the Shiromani Gurdwara Parbandhak Committee since 1925. The Act provides the SGPC Board to manage Gurdwaras directly; control the executive committee; financial powers; powers over membership; and the ability to make bylaws.

The *Punjab Act XI, 1944*, increased s.85 of the Act to include more historical Gurdwaras along with 2 *Takhats*. The SGPC Board then became the Committee of management for all the notified Gurdwaras within the boundaries of Amritsar, Lahore and Taran Taaran; of Muktsar and Anandpur Sahib; and also of those now situated in Pakistan (Nankana Sahib and Panja Sahib). The SGPC Board was also authorised to prepare schemes for administration and management of the Gurdwaras in s.85 of the Act in consultation with local committees that would provide 10% of the gross income of those Gurdwaras for the promotion and uplift of industry which would benefit the Sikh community. The *Punjab Act I, 1959*, added more Gurdwaras from PEPSU. The Government of India notification of 30<sup>th</sup> April, 1998, increased the number of Gurdwaras under the SGPC's control further to nearly 90. A further notification on 28<sup>th</sup> July, 2003, took the total number of Gurdwaras to 110 which are under the direct control of the SGPC and for which it also serves as the Committee of Management. Under s.87(1) the SGPC Board is also entitled to nominate a Committee to manage the affairs of a Gurdwara under its control whose income is under Rs. 100,000 per year.

In aggregate, the SGPC therefore manages approximately 1000 Gurdwaras and has approximately 182 elected Committees in Punjab. The forming of electoral constituencies for these elected Committees (with the approval of the State Government), is also the privilege of the SGPC Board (s.89). Under s.87(1)(a) the SGPC Board can nominate all five members of the Committee of a Gurdwara whose annual income is under Rs. 100,000 and can nominate one member if income is over Rs. 100,000. Section 104 requires the SGPC Board to be informed about the resignation of any member or President of the Committee and the SGPC Board is also to call the meeting of the SGPC Board for the election of President. Section 125 confers power of control, direction and superintendence over all the Committees of Management, to the SGPC Board, which is to ensure that property and income of the Gurdwaras is properly utilised by the Committees in accordance with the Act.

In the 1925 Act, the SGPC Board could exercise only general superintendence over the committees appointed under the Act. The inclusion of the words 'general superintendence' in s.125 in the amended provisions of *Act No. XI, 1944*, extended the powers of the SGPC Board (SGPC) significantly and vested in the SGPC Board the

control and directions also of the said committees, and as well as conferring wider powers upon the SGPC Board and the functions and obligations of its office bearers and members. It meant that the SGPC Board could settle schemes of administration with the force of law; that it could ask the Commission for the proper utilisation of the surplus funds of the Committees (s.105); and that it could supervise the preparation and upkeep of registers (s.137). Section 43A(1)iii also allows the SGPC Board to co-opt 15 members. The election and double-member constituencies are also determined in consultation with the SGPC Board. The term of the SGPC and local committees was also raised from three to five years.

The SGPC Board can call upon its Executive Committee at any point within a general meeting to report on or to take action for any matters within its jurisdiction (s.128). Under s.62 the SGPC Board elects the office-bearers and members of the Executive Committee annually and can remove them (s.63(1)). The salary of the Executive Committee is also fixed by the SGPC Board (s.68).



It has the power to disqualify members (sections 45, 46, 90 and 91) and the power to suspend/dismiss hereditary office holders (s.135) or ministers of Gurdwaras managed by it (s.85). It also acts as an authority in the case of an appeal if the management Committee suspends or dismisses hereditary office holders or ministers (s.135). The SGPC Board also has the power to appoint, fine, reduce, suspend or remove servants to perform its duties (s.69). This includes their number, designation, grade, scale, and remuneration. Furthermore even though the power to appoint the Judicial Commission is vested in the Punjab Government, the Government only appoints two of the three members out of a list of seven persons prepared by the SGPC Board (s.71). Remuneration is also fixed by the Government in consultation with the SGPC Board (s.73).

In theory, even though the power of the SGPC was to be decentralised through separate local committees; in practice, the Sikh Gurdwaras Act, 1925 gave the SGPC the power to ensure that they controlled and exercised direction and general superintendence over all committees appointed under s.125 under the provisions of the Act.

Section 129 grants the SGPC with the powers to discuss and deliberate any matter directly connected with the Sikh religion. Section 138 sanctions the SGPC Board to alienate property belonging to any Notified Sikh Gurdwara. Section 144A (added by the *Amending Act, 1959*) meant that the SGPC Board can get a non-historic Gurdwara denotified or exempted from the Act by making a recommendation to the Government after a minimum three-fifths resolution.

Section 43A which provides for the composition of the SGPC Board was inserted into the Act in 1959 and has since been amended by the Ministry of Home Affairs in 1978, 1996 and 1999. Adaptation of Laws Order, 1950 had required 12 members to be nominated by the Governor of PEPSU. The *Punjab Act No. XLIV* of 1953 increased the number of elected members to 132, and co-opted members to 25 (12 from PEPSU, 9 from other parts of India excluding PEPSU and Punjab, and less than 4 from Punjab). The category for nominated members was abolished. The *Punjab Act I, 1959* which inserted section 43A into the Act increased the elected members to 140 and decreased the co-opted members to 15. The Government of India notification of 30<sup>th</sup> August, 1996 increased the elected members to 170 by providing 30 reserved seats for women (5 of

which must belong to Scheduled Castes also). The Government of India notification of 23<sup>rd</sup> April, 1999, added Takhat Damdama Sahib, thereby increasing the number of ex-officio members of the SGPC Board to six (the other five members include Head Ministers of Darbar Sahib, Amritsar; Akal Takhat; Takhat Keshgarh Sahib; Takhat Patna Sahib; and Takhat Hazur Abchal Nagar Sahib). In a meeting called by the Government, the members then co-opt 15 members who should be Indian residents (less than 5 should be residents of the Punjab), (Singh, Kashmir, 2004a, p.264).

Sub-section (3) of s.42 of the Act confers juristic personality upon the SGPC Board (SGPC). It is a corporate body and has a perpetual succession and a common seal. It is also allowed to sue and be sued in its acquired name of 'Shiromani Gurdwara Parbandhak Committee'. The Supreme Court held in *Mewa Singh vs. SGPC, 1999* that it is not immune from writ jurisdiction (Singh, Kashmir, 2004a, p.257). Similarly s.94A of the Act provides that every Committee of management of different Gurdwaras will also be a body corporate, having perpetual succession and common seal and shall sue and be sued in its corporate name. Presently the SGPC is an inter-State body corporate due to s.72

of the *Punjab Reorganisation Act, 1966*. In 1999 the Supreme Court noted that:

The SGPC is a creation of a statute. It has to act within the four corners of the law constituting it and the rules framed by it under the power conferred upon it under the Act...any violation of the provisions of the Act and the Rules will certainly make SGPC amenable to writ jurisdiction of the High Court under Article 26 of the Constitution (Singh, Kashmir, 2004a, p.257).

There are various legislations other than the Sikh Gurdwaras Act, 1925, which apply to Sikh Gurdwaras in India. They have incorporated bodies in exactly the same way as the Sikh Gurdwaras Act incorporated the SGPC to be juristic, perpetual persons, thereby replicating the SGPC model of management.

The legislation that applies to Sikh Gurdwaras in India within their respective areas of operations are the: *Religious Endowments Act, 1863* which is applied to Takhat Patna Sahib; *Bombay Public Trusts Act, 1950*

which applies to Sikh Gurdwaras in Maharashtra outside Nanded; *Madhya Pradesh Public Trust Act, 1951*; *Rajasthan Public Trust Act, 1959*; *Mysore Religious Endowments Act, 1959*; and the *Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1966*. There are also various other Gurdwara management committees constituted in Pakistan, Delhi, Haryana and Nanded, which all have similar governing legislation, and nominees of the SGPC in their various committees (Singh, Kashmir, 1989, p.95).

The *Nanded Sikh Gurdwara Sachkhand Sri Hazur Abchal Nagar Sahib Act, 1956*, provides for the management of the Gurdwaras in Nanded, Maharashtra; the constitution of the Nanded Sikh Gurdwara Sachkhand Sri Hazur Abchal Nagar Sahib SGPC Board and the Nanded Sikh Gurdwara Sachkhand Sri Hazur Abchal Nagar Sahib Committee; and the appointment of a superintendent of the Gurdwara. The SGPC Board consists of 17 members (12 nominated and 5 elected). The 12 nominated members consist of 3 nominees from the State Government, 4 of the SGPC, 4 of the Sachkhand Hazur Khalsa Diwan, and 1 of the Chief Khalsa Diwan, Amritsar. The 5 elected members consist of 2 from

the Sikh members of Parliament and 3 Sikhs from Hyderabad. The Committee consists of 1 Government nominee, 3 SGPC Board nominees and the Superintendent, who is the chief executive officer who administers the Gurdwara under the Committee and the SGPC Board.

The *Delhi Sikh Gurdwaras Act, 1971*, governs the Gurdwaras in Delhi and under s.3(2) constitutes the Delhi Sikh Gurdwara management Committee. Its committee consists of 46 elected, 2 co-opted, 4 ex-officio Takhat Jathedars, 2 representatives of the Delhi Singh Sabhas and 1 SGPC nominee. Its Executive SGPC Board consists of 5 office bearers and 10 members. The *Jammu and Kashmir Sikh Gurdwaras and Religious Endowments Act, 1973* under s.3(2) constitutes the State Sikh Gurdwara Parbandhak SGPC Board of 15 members, and district Gurdwara Parbandhak Committees comprising of 11 members each. These district committees elect members to the SGPC Board (1 President and a Vice-President, Secretary, and Treasurer each) from Jammu and Kashmir. The Delhi and Jammu and Kashmir Gurdwara management committees are separate and in addition to the main SGPC Board based in Amritsar, Punjab.

A Pakistan Sikh Gurdwara Parbandhak Committee was also formed in 1997, where the Gurdwaras there had been holding 'evacuee' status under the *Waqf Act*. In August, 2008 the National Commission for Minorities supported Haryana's demand for a Haryana Gurdwara Parbandhak Committee, a demand which had been part of the Congress manifesto since 2005 (Rataul, 2008).

#### **4.3 Continued Governmental interference in Gurdwara management**

Throughout the Sikh Gurdwaras Act, 1925 there are many clauses which require the functions and powers of the Government. Section 144 stated that the Government or any of its officers shall not interfere or be concerned in any way with the Gurdwaras, their properties and management except as provided by the Act or any other Act. It also stated that the Government and any of its officers were prohibited to 'undertake or assume the superintendence of any land or other property granted for the support of, or otherwise belonging to, any Notified Sikh Gurdwara, to take any part in the management or appropriation of any endowment made for its maintenance, or to

nominate or appoint any office-holder of, or to be concerned in any way with, such Gurdwara'.

The included provision was intended to show that Gurdwara management was an entirely Sikh affair, but this was contradicted by the clauses elsewhere in the Act which require the Government's involvement in Gurdwara affairs. This could be attributed to the fact that under the *Constitution of India*, state interference in spiritual or doctrinal matters is prohibited, but the regulation of the secular or temporal administration of the religious institutions by the State is still allowed.

The scope for Government involvement in Gurdwara management under the Sikh Gurdwaras Act, 1925 includes the need for the Government to fix a date for commencement of the Act (s.1(3)). Should a dispute arise over whether someone is a Sikh, s.2(9) requires the Government to prescribe how a declaration should be made. Sections 3 – 11 of the Act requires all claims and counter claims (petitions) to be received by the State Government regarding disputes over property;



defining a Gurdwara; and compensation by hereditary office holders. Section 12 authorises the State Government to constitute one or more Tribunals; define the area of their jurisdiction; appoint its President and two other members; remove members or even dissolve the Tribunal; to appoint officers and servants of the Tribunal; extend limitation period to approach the Tribunal; empower the courts to hear matter after limitation period; and to consent the Deputy commissioner to institute suit (under s.38). Section 42 even requires the Provincial Government to approve the name of the SGPC Board before it is used (which has been Shiromani Gurdwara Parbandhak Committee since the first general meeting). Section 43A requires the Government to call a meeting of the elected members and Head Ministers for co-opting 15 SGPC Board members. Section 44 requires the Government to mark out the electorate constituencies in consultation with the SGPC Board (it is to select 50 double-member constituencies). Furthermore s.47 requires the elections of SGPC Board members to be conducted on dates set by the Government, and s.47A provides that the Governments of Punjab, Haryana, Himachal and Chandigarh can constitute a Gurdwara Election Commission for the provision of staff, facilities and to conduct elections for the SGPC Board.

In s.52 it is written that the Government may issue direction of general or special nature, or on questions of policy for the guidance of the SGPC Board and that the SGPC Board is duty bound to comply with such directions. In case the SGPC Board ignores such directions, it renders itself liable for suppression under s.53 of the Act. The power to summon the elected and ex-officio member of the SGPC to meet for the first time after election is also vested in the Government. The Government is also empowered to supersede the entire SGPC Board if the latter is unable to perform or is persistently defaulting in the performance of its duties or is exceeding or abusing its powers. The SGPC Board may be superseded for such period as the Government may deem necessary, after giving a hearing to it. This period of suppression may be further extended. The effect of such suppression is that all the members of the SGPC Board and the Committee shall cease to be the members and the powers of the SGPC Board and of the Committee shall be exercised by such persons as the Government may direct (s.53).

However, this discretionary power can amount to negating the whole object of the Act. Furthermore, under s.41, the Government is authorised to remove any difficulty arising in giving effect to the provisions of the Act and also has the power of revision. It may call for and examine the record of any case pending before or disposed of by the SGPC Board, the Committee, or the Superintendent of the Gurdwara and may pass such order with reference thereto as it thinks fit. However, the alternative to this would be withdrawal of the SGPC from Government supervision, which would also mean elimination of elections under Government supervision, which is unacceptable to the SAD since the authenticity of election results would be diminished unless it remained under Government auspices.

Section 47 which specifies the date of the SGPC Board election states that 'elections of members of the SGPC Board under the provisions of this Act shall be held on dates to be fixed by the Government'. The Gurdwara Election Commission which conducts the elections is constituted temporarily by extended sanction by the Government whenever it is deemed that an election should take place. The Gurdwara Election Commission is neither a permanent body nor does

the Central Government intend to make it so as per the statement of the Home Minister in the Parliament. The conduct for Election of Committees of Management was also brought under the jurisdiction of the Gurdwara Election Commission by an amendment in the Act in 1998 after a gap of 34 years (Singh, Kashmir, 2004a, p.275).

Since 1966, after the reorganisation of the Punjab, the SGPC elections were held in 1979 and then in 1996 after gaps of 14 and 17 years respectively. This demonstrates a lack of responsibility taken for the elections by the Central Government, partly because there is no mandatory provision contained in the Act to ensure that the Government conducts elections every five years as there is in Parliament and State Legislatures. Similarly the 2001 and 2004 elections were not conducted on time. A comment made by the Punjab Haryana High Court stated:

It remains a fact that for nearly 17 years no election of the SGPC Board was held in consonance with the provisions...The very essence of the democratic institution was diluted and in fact rendered ineffective by lapse of such a long time. In every

democratic set up whether in a State or institution, significance of election process cannot be undermined. Its adherence within the limitation of the statutory provision is essential. All concerned thus owe an obligation to uphold the dignity of this process and ensure subsistence to the object of democratic process (*Manmohan Singh Brar vs. State of Punjab*, 2003 in Singh, Kashmir, 2004a, p.278).

Under Chapter VII of the Act (s.70) the Punjab State Government also has powers relating to the Judicial Commission, 3 members of which are appointed by the Government. Remuneration of the members of the Judicial Commission is also to be fixed by the Government (s.73). The Punjab Government is required to pay a third of the Judicial Commission's expenses and is entitled to choose where the Commission can hold court and office. Sections 88 and 89 require the State Government to notify the details of nomination/election of members to the Committee(s) of management. Section 115 provides that the accounts of the SGPC shall be audited and examined annually by an auditor provided by the State Government. Similarly s.121 provides that the accounts of the SGPC Board acting as a Committee under s.85

shall also be audited by a State appointed auditor. Section 132 requires prior sanction of the Government in order for the SGPC to make bylaws.

In 1959 section 144A was inserted in the Sikh Gurdwaras Act, 1925 to allow the Government to denotify or exempt a Gurdwara from the Act. It gives the State Government power to denotify or exempt any non-historical Gurdwara from the operation of all or any provisions of the Act on the recommendation of the SGPC Board by over three-fifths of the total membership of the SGPC Board. The Government has since exercised this right by denotifying 8 non-historic Gurdwaras (Singh, Kashmir, 1989, p.187).

Sections 146-147 state the power of the Central Government to make rules 'not inconsistent with the Act to carry out all or any of the purposes of the Act' and to 'invest with judicial powers officers appointed to enquire into the conduct of elections'. The Government still had the ability to influence the composition and functioning of the Tribunal and Judicial Commission in s.146 (it can nominate some

members of the SGPC Board, including the Chairman, and can remove any member of the SGPC Board on grounds of misconduct or incapacity); and was also authorised to conduct the Gurdwara elections in s.148 (a power which has been exercised arbitrarily).

Section 146 also allows the Government to create rules consistent with the Act for the implementation of its purposes. Section 147 allows the Central Government to appoint officers to conduct enquiries into allegations of corruption and malpractice at the elections. This role was extended in 1954 with the addition of Chapter XIII which imposes duties on Government officials in the conduct of Gurdwara elections. Section 148B empowered the Government to contribute indirectly to the election of SGPC members from PEPSU (Singh, Kashmir, 2004a, pp.236-238).

The *Constitution of India* also allows continued Governmental interference in Gurdwara management<sup>26</sup>. Although the Constitution

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<sup>26</sup> There is a continuing struggle by Sikhs to amend Explanation II of Article 25 of the *Constitution of India* in order to recognise the separate status of the Sikh *Dharam* to that of the Hindu *Dharam*. It currently reads: 'In sub-Clause (b) of clause (2), the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or

prohibits state interference in spiritual or doctrinal matters, it allows the regulation of the secular or temporal administration of the religious institutions by the state. Under the Constitution, matters of religion in doctrinal and ritual aspects constitute a private purpose; but control over the administration of properties belonging to religious institutions is a public purpose. The Constitution grants powers to the state to regulate and restrict the management of religious institutions and endowments under the law of property, law of taxation and law of public religious trusts. The relevant Constitution Articles referring to these clauses are discussed below.

Article 26 of the Constitution reads as follows:

Subject to public order, morality and health, every religious denomination or any section thereof shall have the right: a) to establish and maintain institutions for religious and charitable purposes; b) to manage its own affairs in matters of religion; c) to

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Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly'. Such struggles were heightened by in 1984 during Operation Bluestar. Article 25 of the *Constitution of India* is not however directly relevant to a discussion surrounding the Sikh Gurdwaras Act, 1925; it has therefore not been analysed in detail in this study.



own and acquire movable and immovable property; and d) to administer such property in accordance with law.

Article 27 ensures freedom from payment of any tax for promotion or maintenance of any particular religion. Article 28 prohibits the imparting of religious instruction in educational institutions, which is wholly maintained out of state funds. Furthermore, religious minorities are conferred the right to establish and administer the educational institutions of their choice.

The State is further authorised to pass laws to regulate or restrict any economic, financial, political or other secular activity, which may be associated with religious practice. It can also legislate for social welfare and reform even though, by so doing, it may interfere with religious practices. Article 26 also authorises the state to regulate the administration of the property of a religious denomination. It is a fundamental right of the religious denomination or its representatives to administer its properties in accordance with law; and the law, therefore, must leave the right of administration to the religious

denomination itself subject to such restrictions and regulations as it might choose to impose. A law which takes away the right of administration from the hands of religious denomination altogether and vests it in any other authority would amount to violation of the right guaranteed under clause (b) of Article 26. The freedom of a denomination to manage religious affairs did not include the right to mismanage them, as for example by excessive expenditure on rituals and ceremonies which would result in the destruction of the religious foundation itself. Consequently, Religious and Charitable Endowments Acts which prevent mismanagement of religious institutions, were valid. Thus the State is not precluded from exercising control by law over the secular affairs of religious institutions and over the administration of their properties.

The following case studies illustrate various issues of contention and subsequent judgments which have been made following the continuing role of Governmental interference in Gurdwara management further.

#### 4.3.1 Case studies

Important judgments made in the Supreme Court of India relating to Governmental interference in Gurdwara management under the *Constitution of the India*, are: *Sardar Sarup Singh and Others vs. State of Punjab and Others*, 1959; *Gurleen Kaur and others vs. State of Punjab and others*, 2008; and *Achayaraya Jagdishwaranand Avadhuta etc. vs. Commissioner of Police, Calcutta and another*, 1984, which will now be discussed.

In *Sardar Sarup Singh and Others vs. State of Punjab and Others*, 1959 it was petitioned by Sikhs but dismissed by the State that the process of elections *was* a part of the Sikh religion. In 1959 after the merger of Patiala and the East Punjab States Union (PEPSU), the Sikh Gurdwaras Act, 1925 was amended to extend the jurisdiction of the Act into the area formerly within PEPSU. The SGPC as constituted under s.43 of the Sikh Gurdwaras Act, 1925 consisted of three categories of members (elected, designated, and co-opted.) The SGPC included people

residing in PEPSU and other parts of India. The amendment made in 1959 (s.148B was added to the main Act) stated that:

(1) As from the commencement of the *Amending Act*, in addition to the members of the SGPC Board constituted under s.43 (a) every person in the extended territories who immediately before the commencement of the *Amending Act*, is a member of the Interim Gurdwara SGPC Board, Patiala, constituted by Punjab Government shall be deemed to be a member of the SGPC Board, constituted under s.43; and (b) thirty-five Sikhs including six Sikhs belonging to the Scheduled Castes residents in the extended territories who shall be elected by the persons specified in subsection (2) in accordance with the rules made in this behalf by the State Government, shall become the members of the SGPC Board.

The petitioners were practitioners of the Sikh *Dharam*, who filed a petition under Article 32 of the Constitution challenging the constitutional validity of s.148B on the ground that the section violated

the fundamental right granted under Article 26(b) of the Constitution to every religious denomination or any section thereof including the Sikh denomination 'to manage its own affairs in matters of religion'. They contended that the *Amending Act* of 1959 was passed with a view that a group of Sikhs would not regain the majority it had lost on 16<sup>th</sup> November, 1958, when the annual SGPC election of was held. They also contended that the members of the Interim SGPC Board, Patiala, who under s.148B(1)(a) are deemed to be members of the SGPC Board constituted under s.43, were appointed under a Punjab Government notification, and being merely nominees of Government did not represent the Sikh Community. They also contended that under s.148B, 35 Sikhs from the extended area were introduced into the SGPC Board by means of an indirect method, (by a limited Sikh electorate), the members of which were in their turn elected by Sikhs as well as non-Sikhs; that the right guaranteed under Article 26(b) was given to all members of the Sikh denomination to manage Sikh Gurdwaras; that the right must be exercised by all Sikhs who alone must elect their representatives; and that the introduction of new members into the SGPC Board in respect of the extended territories in the manner envisaged by s.148B, violated by itself the right of the Sikhs in a matter

of religion and constituted an infringement of their fundamental right under Article 26(b).

The petitioners argued that direct election of the SGPC Board members by the entire Sikh community was a matter of the Sikh religion and therefore guaranteed under Article 26(b) of the Constitution. The State argued that there was no authoritative text to suggest that a direct election by the entire Sikh community in the management of Gurdwaras is part of the Sikh religion and that the principle of direct election on universal denominational suffrage could not be raised to the pedestal of religion within the meaning of Article 26(b) of the Constitution.

It was held that s.148B of the Act did not affect 'matters of religion' within the meaning of Article 26(b) of the Constitution and consequently did not contravene the fundamental right under that Article. The Court stated that it could not be called upon to embark on an enquiry into public policy or investigate into questions of political

wisdom or even to pronounce upon motives of the legislature in enacting a law which it is otherwise competent to make; that a direct election by the entire Sikh community in the management of Gurdwaras is not part of the Sikh religion; and that the method of representation for the extended areas under s.148B of the Act was an arrangement dictated merely by considerations of convenience and expediency, and did not involve any principle of religion.

The State argued that matters of the religion in the sense of essential beliefs and practices of the Sikh *Dharam* were untouched by the proposed s.148B, and that even other relevant sections of the Sikh Gurdwaras Act, 1925 did not interfere with the Sikh religion. It also argued that although the preamble of the Act indicated that it was a law to provide for the better administration of certain Sikh Gurdwaras, and that even though the powers of the SGPC Board relate to the mere administration of Gurdwara properties, such administration must be in accordance with law, and the appropriate legislature can dictate what the law should be.

Various other sections of the Sikh Gurdwaras Act, 1925 which were referred to in the case in relation to the *Constitution of India* included s.125 which states that it shall be the duty of the SGPC Board to ensure that every Committee deals with the property and the income of the Gurdwara(s) it manages in accordance with the provisions of the Act and for the fulfilment of the duty; the control, direction and general superintendence over all Committees constituted under the Act is vested in the SGPC Board. This implies that the Act deals with the management of property and income of the Gurdwaras, but s.129 however gives a different impression:

The SGPC Board in any meeting may consider and discuss any matter with which it has power under this Act to deal and any matter directly connected with the Sikh religion but shall not consider or discuss or pass any resolution or order upon, any other matter.

This authorises the SGPC Board to consider and discuss any and every religious matter directly connected with the Sikh religion and this right



does not infringe the fundamental right of any religious denomination or group which is mentioned in Article 26(b).

Sections 133 and 134 can also be referred to in this respect. Section 133 states generally the powers of Committees and one of the powers is enforcing the proper observance of all ceremonies and religious observances in the Gurdwaras. Under s.134, the Committee has power inter alia to dismiss an officeholder or minister if he fails in the performance of any rituals and ceremonies in accordance with the teachings of the Guru Granth Sahib. It was held by the Supreme Court that it is a secular function to ensure that the religious observances are carried out properly; it does not interfere in the performance of religious duties themselves. Sections 133 and 134 were therefore held as constitutionally valid (*Raja Bira-Kishore Deb vs. State of Orissa*, 1964 in Singh, Kashmir, 2004a, p.69).

*Sardar Sarup Singh and Others vs. State of Punjab and Others*, 1959 ultimately alleged that the Sikh Gurdwaras Act, 1925 and the rules and notifications issued under it resulted in direct interference by the State

into the religious affairs of the Sikh community, thereby contravening Article 26, because the Sikhs are deprived of the right to manage the affairs of their religious places independently due to Governmental interference. Furthermore, under the judgement of this case, the fact that the State is funding Gurdwara elections and the maintenance of offices like the Tribunal, Judicial Commission and Gurdwara Election Commission may be a violation of Article 27 if it is interpreted as the promotion of a particular religion at state expense. Articles 25(2)(a) and 26(d) however, authorise the State to regulate the administration of the property of a religious denomination, which safeguards the constitutional validity of the Act.

In *Gurleen Kaur and others vs. State of Punjab and others*, 2008 (judgement given in 2009), it was considered what exactly constituted 'matters of religion' under Article 26 of the *Constitution of India*:

It will be seen that besides the right to manage its own affairs in matters of religion, which is given by clause (b), the next two clauses of Article 26 guarantee to a religious denomination the right to acquire and own property and to administer such

property in accordance with law. The administration of its property by a religious denomination has thus been placed on a different footing from the right to manage its own affairs in matters of religion. The latter is a fundamental right which no legislature can take away, whereas the former can be regulated by laws which the legislature can validly impose. It is clear, therefore, that questions merely relating to administration of properties belonging to a religious group or institution are not matters of religion to which clause (b) of the Article applies...In the first place, what constitutes the essential part of a religion is primarily to be ascertained with reference to the doctrines of that religion itself.

The Supreme Court in *Achayaraya Jagdishwaranand Avadhuta etc. vs. Commissioner of Police, Calcutta and another*, expressly held that courts have the power to determine whether a particular rite or observance is regarded as essential by the tenets of that religion. However, under Article 26(b), a religious denomination or organisation enjoys complete autonomy in the matter of deciding as to what rites and ceremonies are essential according to the tenets of the religion they hold and no outside

authority has any jurisdiction to interfere with their decision in such matters:

Freedom of religion in our Constitution is not confined to religious beliefs only; it extends to religious practices as well subject to the restrictions which the Constitution itself has laid down (*Gurleen Kaur and others vs. State of Punjab and others*, 2008).

The case also held that under the *Constitution of India*, protection was extended to religious consciousness. In determining the right conferred under Article 30 of the *Constitution of India*, it would be a matter of defeating the right conferred upon a religious minority institution not to determine the tenets of a religious consciousness. The case therefore concluded that it is within the jurisdiction of courts to adjudicate upon issues of religion.

## **Conclusion**

This chapter has illustrated that although the jurisdiction of the original Act only initially applied to 1925 Punjab, it has in the long term come to influence the management and administration of historical Sikh shrines across India and Pakistan (not just Punjab). Over the years, the Act has changed the religious and political landscape of India, set new legal parameters for Sikh institutions and marked a new era in Gurdwara management through replicated frameworks of statutory and bureaucratic governance. It created new institutions of legitimacy, leadership and direction for the Sikh diaspora, namely the SGPC and the SAD (the issues arising from these institutions are discussed in chapter 6).

As the previous chapter illustrated that Sikhs were aware of shortcomings in the Act when it was formulated, this chapter has highlighted that in the long term, these shortcomings have indeed made the success of the Act questionable. In particular, section 4.3 of this chapter identified how various clauses have left significant scope for

continued Governmental interference in Gurdwara management, with particular debate surrounding constitutional validity under Articles 26 and 27 of the *Constitution of India*.

The following chapter continues the evaluation of the consequences and implications of the Sikh Gurdwaras Act, 1925 by addressing problematic issues arising from its content, workings and implementation. It engages in theological evaluation of these issues through an interpretation and application of the Sikh Sacred Scriptures.

**CHAPTER FIVE – THEOLOGICAL EVALUATION OF ISSUES  
ARISING WITH THE IMPLEMENTATION OF THE SIKH  
GURDWARAS ACT, 1925**

Having evaluated the broad issues of the jurisdiction and constitutional validity of the Sikh Gurdwaras Act, 1925, this chapter moves onto a focussed theological evaluation of the Act which engages in the interpretation and application of the teachings in the Sikh Sacred Scriptures.

The specific issues which arose with the implementation of the Sikh Gurdwaras Act, 1925, that this chapter addresses are defining a Gurdwara; defining Sikh identity; and defining caste. It analyses these issues by outlining how they are first defined from a Sikh theological perspective and then comparing and contrasting how they are defined by the Sikh Gurdwaras Act, 1925. It then highlights the various problems thus occurring in the Act's implementation due to the discrepancies between the definitions.

The genesis of the Sikh Gurdwaras Act, 1925 had meant that for the first time, out of necessity, complex matters needed addressing and articulating such as the nature, control and structure of management of Gurdwaras; who was representative of Sikhs and had authority to speak or act on their behalf; and what processes should be used to determine figures of authority in the Sikh community. Bound within these questions were issues of nomenclature, such as what the definition of a Sikh Gurdwara should be; what the definition of a Sikh should be; what type of Sikh identity should be considered legitimate; and which castes of Sikhs should have special provisions within the Act.

The theological evaluation of the Sikh Gurdwaras Act, 1925 highlights how the content and nomenclature within the Act failed to incorporate the teachings within the Sikh Sacred Scriptures which are relevant to the above questions. This discrepancy subsequently jeopardised the Act's implementation, efficiency and success as illustrated by the problems discussed in this chapter. It is therefore implied that there is a need to accurately incorporate concepts from the teachings of the Sikh *Dharam* as espoused in the Sikh Sacred Scriptures, into the Sikh



Gurdwaras Act, 1925 in order for it to fulfil and implement its aims and objectives authentically and successfully.

### **5.1 Defining a Gurdwara.**

The definition of a 'Gurdwara' is not included in the Act although the Sikh Gurdwaras Act, 1925 refers to the terms 'Gurdwara' and 'Sikh Gurdwara' in its title and frequently throughout its content. This section compares and contrasts the definition of a Gurdwara in the Sikh Sacred Scriptures with the use of the term 'Gurdwara' in the Act. It then discusses the consequences of this discrepancy in the implementation of the Act.

#### **5.1.1 A Gurdwara defined from a Sikh theological perspective.**

The Sikh Gurdwaras Act, 1925, the implementation of which critically hinged on the definition of a Gurdwara, failed to reflect the lofty and exalted nature of Gurdwaras as illustrated in the Sikh Sacred Scriptures. A discussion of the definition of a Gurdwara and its role and importance in the Sikh *Dharam* is outlined in section 2.1 of this study.

### 5.1.2 A Gurdwara defined by the Sikh Gurdwaras Act, 1925.

Although the Act returned the management of Gurdwaras to Sikh hands, it (out of necessity due to the historical context of the Gurdwara Reform Movement), it also reduced them to secular 'properties', the ownership and definitions of which were fought in the courts of secular law. The Act therefore did not do justice to Gurdwaras as grounds of blessed, sacred and revered importance, neither did it directly acknowledge a Gurdwara as the home of the Guru or Guru Granth Sahib (as outlined in section 2.1 of this study).

Guru Granth Sahib is mentioned in the Sikh Gurdwaras Act, 1925 only a few times. For example, when defining a Sikh in s.2, the declaration requires one to state that they 'believe in the Guru Granth Sahib'. Sections 45 – 46 state that one of the qualifications of elected and co-opted members to be eligible for membership is that they should be able to read and write *Gurmukhi*. The explanation of this clause states that a person should be able to read *Gurmukhi* if he is able to recite the Guru Granth Sahib in *Gurmukhi*. Sections 90 and 91 also provide similar qualification for elected and nominated members of the Local Committees of Management. Section 134 of the Act provides that

hereditary officers and ministers can be dismissed if they persistently fail to perform duties in connection with the management or performance of public worship, or of any rituals and ceremonies in accordance with the teachings of the Guru Granth Sahib. Section 16(2) of the Act prescribes that an institution is a Sikh Gurdwara if the Sikhs use it for public worship.

The Act incorporated an in-built judicial system by constituting two adjudicative authorities to make decisions and resolve disputes over the declaration of Gurdwaras (namely the Gurdwara Tribunal and Judicial Commission). The examination and declaration of places of worship as being either Sikh or Hindu religious institutions by the Judicial Tribunal established under the Act served as a point of contention between Sikhs and Hindus. Any Gurdwara not mentioned in Schedule I of the Act, was to be determined by the Tribunal in accordance with s.16(2) which states that the institution has been used for public worship by the Sikhs before and at the time of the petition; that it is a place of worship; the worship should be by Sikhs; and that the worship should be public (as opposed to private).

When it became known that the Sikh Gurdwaras Act, 1925 was providing for the transfer of all Sikh places of worship (Gurdwaras) to the Committees, many *Mahants* began converting Gurdwaras into non-Sikh institutions. Some people in panic even removed the Guru Granth Sahib from their houses so that their residence would not be declared a Gurdwara. This not only created confusion among the Sikhs but also slowed down the process of standardising the management and administration of Gurdwaras, as had started operating in the wake of the passage of the Sikh Gurdwaras Act, 1925.

Many cases were filed with the Gurdwara Tribunal regarding declarations of institutions of Gurdwaras. Approximately 175 cases were filed by 1930, 129 of which the Tribunal gave decisions for. The cases were mostly filed by Udasi Sadhus, Nirmalas and some long standing *Mahants* (Gandhi, 1993, p.145). There were many genuine objections from Udasis regarding shrines which had historically been under their charge, but which were now being replaced under the authority of the SGPC. Other objections to declaring places of worship under consideration as not being Sikh Gurdwaras included the facts that: (i) they were not founded by the Sikhs, (ii) that their primary

purpose was not to disseminate the Sikh *Dharam* alone, (iii) the placing of Guru Granth Sahib alone could not prove that the institution where the sacred Guru Granth Sahib was placed was a Sikh Gurdwara, and (iv) the hereditary holders either as the owner or as the manager or as a minister were not Sikhs. These points raised by the defendants to counter Sikh claims were vital but the Sikh Gurdwaras Act, 1925 was not affirmative and categorical on these points.

In the process of the implementation of Sikh Gurdwaras Act, 1925, it was also found that there were errors in Schedule I of it. Names of Gurdwaras, revenue estates and districts in which these were situated were entered wrongly under different columns with the result that many legal implications arose in regard to the possession of them (Gandhi, 1993, p.145). These were rectified through an amendment by Bill No. 131 (1925).

In many cases, the courts pronounced their judgements in favour of the fact that certain places of worship could not be considered as Gurdwaras because Hindu customs and Hindu modes of worship were followed and duly respected there. Sardar Ujjal Singh noted that:

Munna Lai's judgement in a certain case was indicative of the extent of the harm which could accrue to the Sikh interests. He tried to divide present-day Sikhs into three categories: (i) Sanatan Sikhs; (ii) common Sikhs; (iii) Akalis. According to him, if a Sikh wears a '*Janaeoo*',<sup>27</sup> he remains no longer a Sikh and if an untouchable is not allowed to enter a Gurdwara, he concludes, that the Gurdwara is not established for the use of the Sikhs because Sikhism did not recognise distinction of caste. If mere practices are to be taken into consideration in the case of a deceased Sikh, it would be possible for any Gurdwara to be declared a Sikh Gurdwara or for that matter any Sikh to be declared a Sikh if he is no longer living to make the declaration (in Gandhi, 1993, pp.146-147).

The phrase 'is used' in sub-sections I, II, III, IV & V of s.16 also began to be interpreted narrowly. Most of the claimants had claimed ownership of the property attached to Gurdwaras. These claims were founded on the plea that the institution or the property under dispute was not the

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<sup>27</sup> A sacred thread traditionally worn to identify Hindus.

Gurdwara or the property of the Gurdwara, because the Gurdwara 'was not used' predominantly by Sikhs. Furthermore the claimants argued that certain practices which were not recommended by the Sikh *Dharam* were being followed. The judgement of Mr. Justice Coldstream on the 10th August, 1928 in case No.12 under s.8 is significant:

My conclusion in the matter, therefore, is that words "for use by Sikhs" in clause (iii) subsection 2 of s.6 must be read to mean "for use of persons who are proved to have professed the Sikh religion, that is to say, who believed in the Guru Granth Sahib and the ten Gurus and had no other religion" (in Gandhi, 1993, p.148).

Difficulties had also been experienced owing to the fact that there was no provision in the Act authorising the Tribunal to grant decrees for the possession of a Gurdwara, or the property of a Gurdwara, or both. The result was double litigation. The SGPC first had to go to the Gurdwara Tribunal for getting Gurdwara or property attached to it declared as a 'Gurdwara' and then had go to the court to get the decree for possession. To the dismay of the Sikhs, this caused much

inconvenience and delay. Provision was therefore made to empower the Tribunal to pass a decree for possession in such cases under s.7, which numbered approximately 1700 by 1932 (Gandhi, 1993, p.149).

Experience was showing that litigation was time consuming and expensive. In December, 1932, the SGPC stated that cases pertaining to the Gurdwaras of Schedule I were still awaiting decisions. Up to July, 1931 nearly 200 cases were decided and 180 of those went in favour of the parties claiming they were not Sikh Gurdwaras (Gandhi, 1993, p.158). These parties were mostly *Mahants* or Udasis, or those with other vested interests. They succeeded in convincing the Tribunal that because of the differences in the modes of worship in a particular shrine; because of the entries in the Revenue Record against their names; or because the ministers or managers of the Gurdwaras were never Sikhs in term of the definition of a Sikh - that these places could not be determined as Gurdwaras. This caused much anxiety to the SGPC because the Sikh community had lost a number of religious places which formerly radiated the principles of the Sikh *Dharam* and were important nuclei at local level (Gandhi, 1993, p.159).



The definition of a Gurdwara was further problematised because the presence of the Guru Granth Sahib was required for a public place to be legally termed a Sikh Gurdwara, but all places with the presence of the Guru Granth Sahib were not necessarily Gurdwaras. Furthermore, some non-Sikh institutions, which were not Gurdwaras, also revered and worshipped the Guru Granth Sahib.

No doubt the evidence that the Granth Sahib has from the earliest times been read in the *Dharamsala* will not by itself be conclusive evidence that the *Dharamsala* is a Sikh Gurdwara. But there are cases in which such evidence is of great importance. It might be the determining factor in arriving at the conclusion regarding the purpose for which a particular institution was founded...There is no authority that an institution containing a *smadh* cannot be a Sikh Gurdwara, although no doubt worship of a *smadh* is opposed to orthodox Sikhism (*Gulab Dass vs. Foja Singh*, 1937 in Singh, Kashmir, 2002, p.21).

The second condition that determined a Gurdwara as stated in the Sikh Gurdwaras Act, 1925 s.16, related to the reason or purpose of the

establishment of the Gurdwara: i) that the Gurdwara was established by any of the ten Sikh Gurus or in commemoration of any incident in the life of any of them, ii) that the Gurdwara was established in memory of any of the ten Sikh Gurus or of any Sikh martyr, saint or historical person, iii) that the Gurdwara was established for use by Sikhs for the purpose of public worship, iv) that due to some tradition connected with one of the Ten Sikh Gurus, the Gurdwara is used for public worship, v) and that due to some incident connected with the Sikh religion the Gurdwara is used for public worship.

In 1984 the Supreme Court of India had emphasised that both conditions needed to be cumulatively satisfied. These two conditions were that: (a) Gurdwara was established for public worship by Sikhs, and (b) it was used as such. Most of the litigation in this regard was concerning clause (iii) of Section 16(2) which provided that an institution would be declared as a Sikh Gurdwara if the Tribunal / Court found that it 'was established for use by Sikhs for the purpose of public worship and was used for such worship by Sikhs before and at the time of the presentation of the petition' (*SGPC vs. Mahant Kirpa Ram*

1984, in Singh, Kashmir, 2004c, p.15). The Supreme Court whilst deciding a case under Section 16(2) (iii), observed:

Before a Gurdwara or an institution could be declared as a Sikh Gurdwara, it must be established that it was founded at its inception by the Sikhs for public worship. The new fact that it was actually being used for public worship before and at the time of presentation of the petition is of no help singularly (*Shiromani Gurdwara Parbandhak Committee, Amritsar vs. Mihan Singh*, 1993 in Singh, Kashmir, 2002, p.20).

Due to the Sikh Gurdwaras Act 1925, a Gurdwara is now also recognised as a 'juristic person', independent of its building and property. In 1968 the Punjab and Haryana High Court held that:

The word 'Gurdwara' in section 5(1) stands for the abstract institution which owns the entire property of a particular Gurdwara including the place of worship itself...The word could not have been intended to refer to tangible, physical property, i.e., the actual place of worship, visible to the eye, composed of bricks

and mortar, but to something which owns that place of worship  
(*Mahant Lachman Dass chela Mahant Ishar Dass vs. State of Punjab*,  
1968, in Singh, Kashmir, 2004b, p.7).

A Gurdwara can now own property and bring a suit in its own name to  
protect the property owned by it through its manager (*Sri Guru Granth  
Sahib Khoja Majra vs. Nagar Panchayat Khoja Majra*, 1969, in Singh,  
Kashmir, 2004b, p.7).

In 2000 the Supreme Court made another important judgement which  
deemed that a Sikh Gurdwara cannot exist without the presence of the  
Guru Granth Sahib:

The central object of worship in a Gurdwara is Sri Guru Granth  
Sahib, the holy book and sine qua non for an institution being a  
Sikh Gurdwara is that there should be established Guru Granth  
Sahib and the worship of the same by congregation, and a *Nishan  
Sahib*<sup>28</sup> (in Singh, Kashmir, 2004c, p.15).

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<sup>28</sup> A saffron coloured flag flying on the outside of a property, which signifies that the property is a Gurdwara.

In a unique and unprecedented judgement, the Guru Granth Sahib was also held to be a 'juristic person' in 2000 by the Supreme Court of India when they observed:

The last living Guru, Guru Gobind Singh, expressed in no uncertain terms that henceforth there would not be any living Guru. The Guru Granth Sahib would be the vibrating Guru. He declared "henceforth it would be your Guru from which you will get all your guidance and answer." It is with this faith that it is worshipped like a living Guru. It is with this faith and conviction, when it is installed in any Gurdwara, it becomes a sacred place of worship. Sacredness of Gurdwara is only because of placement of Guru Granth Sahib in it. In this background and on overall considerations, we have no hesitation to hold that Guru Granth Sahib is a juristic person...Guru Granth Sahib has all the qualities to be recognised as such. The installation of Guru Granth Sahib is the nucleus or nectar of any Gurdwara. If there is no Guru Granth Sahib in a Gurdwara, it cannot be termed as Gurdwara. When one refers a building to be a Gurdwara, he refers it so only because Guru Granth Sahib is installed therein.

Even if one holds a Gurdwara to be juristic person, it is because it holds the "Guru Granth Sahib." The Granth replaces the Guru after the tenth Guru. We unhesitatingly hold Guru Granth Sahib to be a juristic person (*SGPC vs. Som Nath Dass*, 2000, in Singh, Kashmir, 2004b, pp.11-12).

It was however, only 75 years after the genesis of the Sikh Gurdwaras Act, 1925 that these judgements were made. The implications of these rulings were that when property is vested, mutated or registered in the name of the Guru Granth Sahib, litigation in regard to the property would also have to be in the name of the Guru Granth Sahib. Previous to this, properties already existing in the name of Guru Granth Sahib, which had been bestowed on Gurdwaras, were being encroached upon. This judgement solved the problem because now the Guru Granth Sahib could hold and dispose of property and sue for recovery of property belonging to Guru Granth Sahib which is in wrongful possession. Furthermore, it acknowledged the unique status of Guru Granth Sahib as a living Guru.

## **5.2 Defining Sikh identity.**

The formulation of the Sikh Gurdwaras Act, 1925 also posed new questions about Sikh identity. For example, questions arose during the formulation of the Act, about what type of Sikh identity should be considered legitimate and therefore who was eligible to be part of a constituted body responsible for representing Sikhs and managing Gurdwaras. This section compares and contrasts the definition of Sikh identity in the Sikh Sacred Scriptures with the definitions of Sikh identity in the Act. It then discusses the consequences of this discrepancy in the implementation of the Act.

### **5.2.1 Sikh identity defined from a Sikh theological perspective.**

This section firstly examines Sikh identity by considering the centrality of *Naam* (God's Name), the Sikh *Rahit Maryada* (Code of Conduct) and qualities required of a Sikh in order to establish what constitutes Sikh identity from a theological perspective.

Bound within the question of what defines a Sikh in the Sikh Sacred Scriptures, is the concept of *Naam* (the Divine Word of God) which is of central importance:

*Vin naavai naahee ko thhaao.*

Without Your Name (*Naam*), there is no place at all (it is all-pervading), (Guru Nanak Dev, Guru Granth Sahib, p.4).

Guru Nanak states that *Naam* was created by God after creating Himself.

*Aapeenhai aap saajiou aapeenhai rachiou naao.*

He (God) created Himself; then He Himself created and assumed His Name (*Naam*) (Guru Nanak Dev, Guru Granth Sahib, p.463).

Therefore God reveals Himself in the 'divine Name', correctly understood as all that constitutes the divine reality (McLeod, 1989a, p.3). As such, the central theme of the Sikh Sacred Scriptures, is *Naam*.

It is described as the support of all life:



*Naam kae dhhaarae sagalae ja(n)th.*

*Naam kae dhhaarae kha(n)dd brehama(n)dd.*

*Naam* is the support and sustenance of all creatures and living beings; *Naam* is the support and sustenance of the Universe and solar systems (Guru Arjan Dev, Guru Granth Sahib, p.284).

*Naam* is also described as the vehicle to become closer to God and as the transforming force to spiritually elevate a human being:

*Bhareeai math paapaa kai sa(n)g.*

*Ouhu dhhopai naavai kai ra(n)g.*

When the mind is stained and polluted by sin, it can only be cleansed by the love of God's Name (*Naam*), (Guru Nanak Dev, Guru Granth Sahib, p.4).

A devotee is prescribed to believe in and to act upon *Naam* in order to achieve union with God. *Naam* is the only medium available to us for approaching Him. It is through *Naam* that we are able to think of Him, to remember that we are able to think of Him, to remember Him, to be in His presence...*Naam* is the medium for calling on God. A devotee

who constantly utters God's Name remains in His presence and develops a loving relationship with God (Singh, Santokh, 2000, p.16):

*Gurbani kehai saevak jan maanai parathakh Guru nisathaarae.*

If God's humble servant believes and acts according to the Words of the Guru's *Bani (Naam)*, then the Guru manifests and emancipates him (Guru Ram Das, Guru Granth Sahib, p.982).

*Gur kehiaa maan nij nidhhaan sach jaan ma(n)thra eihai nis baasur hoe kalyaan lehehiparam gath jeeo.*

Respect and obey the Guru's Word (*Naam*); this is your own personal treasure - know this *mantra* (chant) as True (Bhatt Gayandh, Guru Granth Sahib, p.1403).

The Sikh Sacred Scriptures state that *Naam* is contained within *Amrit*, the Nectar of Immortality. The following quotation explains that Guru Nanak brought *Amrit* into the world from God in order to help humanity. It also explains that this *Amrit* was harnessed from the Guru's feet and used to initiate disciples:

*Sunee pukaar dhaathaar prabh Guru Nanak jag maahi pat(h)aaiaaaa.*

*Charan dhoe reharaas kar charanaamrith sikhaa(n) peelaaeiaa.*

Hearing the cries of humanity, God sent Guru Nanak into the world. He (Guru Nanak) bowed down to God in utter humility and offered prayers. Then Guru Nanak gave the *Charan-Amrit* (Nectar of Immortality from the feet of the Guru) of the Holy Name (*Naam*) to his disciples (Bhai Gurdas, Vaar 1, Pauri 23).

*Amrit* is described in the Sikh Sacred Scriptures as the Immortal and ambrosial Nectar containing *Naam*. It is attributed with Immortality because it is created with and is a manifestation of *Naam*; and *Naam* being synonymous with God is Immortal. Thus, the following quotations explain that by drinking *Amrit*, a finite human being can become connected with God, the Infinite:

*Eihu har ras paavai jan koe.*

*Amrit peevai amar so hoe.*

Only a few obtain this ambrosial essence of the God's Name (*Amrit*). By drinking in this Nectar, one becomes immortal (Guru Arjan Dev, Guru Granth Sahib, p.287).

*Amrit naam nidhhaan hai mil peevahu bhaaee.*

*Jis simarath sukh paaeeai sabh thikhaa bujhaaee.*

The treasure of the *Naam*, the Name of God, is the ambrosial Nectar of Immortality (*Amrit*); meet together and drink it in. Remembering God in meditation, peace is found and all thirst is quenched (Guru Arjan Dev, Guru Granth Sahib, p.318).

It is also stated that it is only from the Guru that one can obtain *Amrit*; and that it is only through *Amrit* that one can obtain *Naam*. Santokh Singh (2000) in his exposition on *Naam* similarly states that the great gift of *Naam* comes to man from God through the Guru (p.20).

*Sur nar mun jan amrit khojadhae s amrit gur thae paaeiaa.*

The angelic and celestial beings search for the Ambrosial Nectar of Immortality; but this *Amrit* is only obtained from the Guru (Guru Amar Das, Guru Granth Sahib, p.918).

*Bin gur kinai n paaeiu har naam har sathae.*

Without the Guru, no-one finds the *Naam*, the Name of God  
(Guru Amar Das, Guru Granth Sahib, p.1093).

*Nanak amrit eaek hai dhoojaa amrit naahi.*

*Nanak amrit manai maahi paaeeai gur parasaadh.*

O Nanak, there is only one kind of *Amrit* – there is no other *Amrit* at all. O Nanak, the *Amrit* is obtained within the mind, by the Guru's grace (Guru Angad Dev, Guru Granth Sahib, p.1238).

Thus, according to the Sikh Sacred Scriptures, *Naam* is of central importance to the very identity and definition of a Sikh, as it is the vehicle to develop the realisation of God and as it is the constituent and support of the entire creation. In order to cultivate the values stipulated by the Sikh Sacred Scriptures, it is taught that one therefore needs to commit and become initiated in order to receive *Amrit* from the Guru and be blessed with *Naam*. Originally devotees were initiated by drinking water which had been blessed by the Gurus' feet; in 1699, Guru Gobind Singh initiated the '*Panj-Piaras*', or Five Beloved ones who were willing to give their life for their *Dharam* by preparing *Amrit* in an

iron vessel whilst reciting prayers to instil the *Naam*. Puffs of sugar were then added to instil compassion. Guru Gobind Singh first initiated the *Panj-Piaras* and in turn was initiated by them. Following that tradition, *Amrit* is now prepared in the presence of the Guru Granth Sahib by five practicing Sikhs by this ceremony of *Amrit Sanchaar*.

With the blessing of *Naam* through the *Amrit Sanchaar*, the Guru is described as having the transforming power to make sinning mortals into angels which do God's work on earth; to win our favour with God; and to dispel sins:

*Jin maanas thae dhaevathae keeeae karath n laagee vaar.*

He (my Guru) made angels out of men, without delay (Guru Nanak Dev, Guru Granth Sahib, p.462).

*Jaisaa sathigur suneedhaa thaiso hee mai ddeet(h).*

*Vishhurriaa maelae prabhoo har dharageh kaa baseet(h).*

*Har naamo ma(n)thra dhrirraaeidhaa kattae houmai rog.*

*Nanak sathigur thinaa milaaeiaa jinaa dhhurae paeiaa sa(n)jog.*

As I heard of the True Guru, so I witnessed him. He re-unites the separated ones with God; he advocates on our behalf at the Court of God. He implants the *Mantra* (chant) of God's *Naam* (Name) and eradicates the illness of ego (Guru Arjan Dev, Guru Granth Sahib, p.957).

*Samarathh Guru sir hathh dhharyo.*

*Gur keenee kirapaa har naam dheeo jis dhaekh chara(n)n agha(n)n haryo.*

The all-powerful Guru placed His hand upon my head. The Guru was kind, and blessed me with *Naam* (God's Name). Gazing upon the Guru's feet, my sins were dispelled (Bhatt Nal, Guru Granth Sahib, p.1400).

After initiation, one must also practice the Sikh way of life and daily conduct prescribed by the Gurus. This practice and discipline is required because otherwise, *Naam* cannot dwell in the human body:

*Ras sueinaa ras rupaa kaaman ras paramal kee vaas.*

*Ras ghorrae ras saejaa ma(n)dhar ras meet(h)aa ras maas.*

*Eaethae ras sareer kae kai ghatt naam nivaas.*

The pleasures of gold and silver, the pleasures of women, the pleasure of the fragrance of sandalwood, the pleasure of horses, the pleasure of a soft bed in a palace, the pleasure of sweet treats and the pleasure of eating flesh – when these pleasures of the human body are so numerous, how can the *Naam*, God's Name, find its dwelling in the heart? (Guru Nanak Dev, Guru Granth Sahib, p.15).

Furthermore, Guru Gobind Singh explained the value and worth of a Sikh who followed the discipline:

Whichever dear Sikh remains within the *Rahit* (Code of Conduct) – that Sikh is the master, and I am his disciple (Guru Gobind Singh, recorded by Bhai Desa Singh, a contemporary of the Guru, accessed on 10<sup>th</sup> November, 2010 at <http://www.proudtobesikh.com/khalsa/SharedFiles/linktracker.aspx?name=PTBSAmritKirtanGutkaShabads>).



In relation to the question of defining Sikh identity, Takhar (2005) notes that the Gurdwaras Act came into existence as a result of the Akalis' awareness of the external threats to the Sikh *Dharam*, therefore in the aftermath of the Act, in addition to defining who a Sikh was, it was also necessary to define the beliefs of a Sikhs for the survival of future generations. This was done by the SGPC in 1945 with the formulation of the *Rahit Maryada*, a guide to how a Khalsa Sikh should behave and live, reflecting the strong influence of the ideals of the Tat Khalsa, as well as the Akali movement (p.25).

The rules for this practice and discipline are outlined in the *Rahit Maryada*, which prescribes that an initiated Sikh is also forbidden from eating meat slaughtered in the Islamic tradition; from committing adultery or engaging in pre-marital relations; and from consuming alcohol or using any recreational drugs or intoxicating substances. These three rules, along with the keeping of hair, are termed the four *kurahits* (acts which break an individual's *Rahit*). Initiated Sikhs are also instructed to contribute *dasvandh* (a minimum of a tenth of their earnings, time, and knowledge to charitable causes). They are required

to keep the five *Kakars* as signs of visible identity as Sikh on them at all times, which become like spiritual limbs in attaining the discipline required to move closer to union with God. These are *Kesh* (the keeping of hair on the body intact); *Kanga* (a small wooden comb); *Kara* (an iron bangle to remind a Sikh of their connection to the Guru, and to encourage benevolent actions); *Kirpan* (a curved blade used to bestow blessings and protect one's dignity and honour with *kirpa* - kindness and *aan* - righteousness); and *Kachera* (long undergarment to remind one of their moral values). The *Dastaar* (turban) for males is also a mandatory part of this uniform.

The discipline that a Sikh is required to follow as outlined in the Sikh Sacred Scriptures, is also synonymous to definition of a Sikh which is that a Sikh should consistently rise early and meditate upon *Naam* after bathing:

*Gur sathigur kaa jo sikh akhaae s bhalakae out(h) har naam dhiaavai.*

*Oudham karae bhalakae parabhaathee eisanaan karae amrit sar naavai.*

One who calls himself a Sikh of the Guru, the True Guru, shall rise in the early morning hours and meditate on God's Name

(*Naam*). Upon arising early in the morning, he is to bathe, and cleanse himself in the pool of nectar (immersion in the Divine Name). Following the instructions of the Guru, he is to chant God's Name (*Naam*) (Guru Ram Das, Guru Granth Sahib, p.305).

*Eisaan karehi parabhaath sudhh man gur poojaa bidhh sehith kara(n).*

After their cleansing bath in the hours before the dawn, they (Sikhs) worship the Guru with their minds pure and clear (Bhatt Gayandh, Guru Granth Sahib, p.1402).

Therefore, according to the Guru's definition, a Sikh should first and foremost practice this formula of rising before dawn, bathing and then praying. The minimum daily prayers for a Sikh are three times a day (the five prayers recited during *Amrit Sanchaar* to be repeated every morning, an evening prayer called *Rehras* at dusk and the *Kirtan Sohila* at night before retiring to sleep).

Having examined what constitutes Sikh identity according to the Sikh Sacred Scriptures through a discussion of *Naam* and the *Rahit Maryada*, it can be interpreted that the primary definition of a Sikh from the Sikh

Sacred Scriptures is one who rises in the early hours of the morning and meditates on God's Name (*Naam*). It can also be interpreted that according to the Sikh Sacred Scriptures, it is a necessity for Sikhs become initiated in order to receive *Amrit* from the Guru and be blessed with *Naam*. Guru Gobind Singh Ji's composition recorded by Bhai Desa Singh also states the Guru as stating that only for as long as the *Khalsa* retains its unique identity, shall it have the Guru's blessing (accessed on 10<sup>th</sup> November, 2010 at <http://www.proudtobesikh.com/khalsa/SharedFiles/linktracker.aspx?name=PTBSAmritKirtanGutkaShabads>).

Although the *Khalsa* must be regarded as the ideal form of the Sikh *Panth* and everyone who claims the status of a Sikh must accept that initiation should be the objective (McLeod, 2003, p.179), in practice, many devotees, who are either born into Sikh families, or who do not take *Amrit*, still identify themselves as Sikhs. This presents a disconnect between the definition of Sikh identity in theory and practice. Nesbitt (2005) implies that migration may have further diversified Sikh identity by stating that many such Sikhs live outside India (p.85).

Other common definitions include:

- i) *Amritdhari* - those Sikhs who take *Amrit*, are initiated and vow to live their lives according to the *Rahit Maryada* and become part of the *Khalsa* fraternity are known as *Amritdhari* Sikhs.
- ii) *Keshadhari* – those Sikhs who keep unshorn hair (although this does not necessarily mean that they are *Amritdhari*) are known as *Keshadhari* Sikhs.
- iii) *Sehajdhari* – those who identify themselves as Sikhs but who do not keep unshorn hair, are known as *Sehajdhari* Sikhs.
- iv) *Patit* - an ‘apostate’ - someone who has partaken in *Amrit* but has not kept their *Rahit* and broken one or more of the rules specified in the Code of Conduct is known as a *Patit*. Sometimes *Patit* is also used to refer to anyone who has not partaken in *Amrit* at all.

Nesbitt (2005) notes however, that none of these terms (*Amritdhari*, *Keshadhari*, *Sehajdhari* and *Patit*) are a good fit for the many Sikhs who have cut their hair and the growing number of individuals who identify themselves unwaveringly as Sikh, but who have no intention of ultimately observing Khalsa discipline (p.85).

The *Rahit Maryada* problematises the issue of Sikh identity further as non-Khalsa Sikhs are not required to follow it, thus leaving the implications for *Sehajdhari* Sikhs open:

Defining a Sikh is extremely difficult, therefore, if the yardstick is taken as the *Rehat Maryada*...there are a number of problems associated with the providing of clear-cut boundaries in which to define all followers of the Sikh faith (Takhar, 2005, p.184).

McLeod concludes that:

For many people (including many Sikhs) the questions 'Who is a Sikh?' is not really an important one...Most Sikhs know that they are Sikhs without requiring a detailed analysis of the *Rahit*...An adequate answer can scarcely be expected from those who stand outside the tradition. They may ask sympathetic questions and probe the initial responses which they receive, but the answer is not theirs to give. It can come only from within the *Panth* and it can never be a final one. Changing circumstances will ensure that

the question “Who is a Sikh?” must forever be asked and never definitively answered McLeod, 1989a, p.81).

The comments made by Mian Muhammad Shah Nawaz of Lahore, Rural Constituency regarding Sikh identity after the *Sikh Gurdwaras and Shrines Bill*, 1925 was passed, are relevant and prophetic of the problems and contentions that would occur:

Their difficulties will begin only when the Act is put into force. They shall have to elect their best men on the Central SGPC Board. They shall have to appoint their best men on the local committees and parish ministers. They will have to guard against jealousies inter se. They will have to reconcile all the Sikh sects including the Udasis, Nirmalas, Namdharis, *Sehajdharis* and others. I appeal to the Sikh members to be kind and generous to their Udasi brethren, because they have been hit hard. I have always advised the Udasis that their welfare lies in their co-operation with the *Amritdharis* and that they must secure the goodwill of the future religious government which will mainly

consist of the followers of Guru Gobind Singh (in Ahluwalia (ed.), 1985, p.263).

### **5.2.2 Sikh identity defined by the Sikh Gurdwaras Act, 1925.**

From a civic perspective, the Sikhs were listed as a separate community in the census for the first time in 1868, although the enumerators were supplied a definition of 'Sikh' for the first time only for the census of 1891. It required unshorn hair and abstinence from smoking for being listed as a Sikh. In the 1911 census, everyone who claimed to be a Sikh was entered as a Sikh (McLeod, 1989, p.86).

From a legislative perspective, the *Government of India Act, 1919* (in the Montague-Chelmsford Reforms), granted separate electoral rights to the Sikhs in the central and provincial legislatures. The Southborough Committee, which was constituted to determine who will be entitled to vote as a Sikh, recommended in February, 1919 that 'anyone claiming to be a Sikh and being prima facie being what he represents himself to be' would be regarded as a Sikh. The electoral officer was however



authorised to reject declarations of non-Sikhs for not having been made in good faith. Nevertheless, *Sehajdharis*, *Nirmalas*, *Udasis* and others besides the *Keshadharis* were allowed to enrol themselves as voters in the Sikh constituencies' (from *Report of Committee on Franchise* in Kapur, 1986, p.80).

When the SGPC adopted its new constitution within a few months of its formation and registered under Societies Registration Act on 30<sup>th</sup> April, 1921, voting rights were only given to the *Amritdhari* Sikhs over 21 years of age who observed rules of Sikh discipline such as rising early in the morning, reading *Gurmukhi*, contributing *dasvandh* and being practicing *Amritdharis*. This criteria strongly reflected and concurred with the definition of Sikh identity prescribed by the Sikh Sacred Scriptures and by the *Rahit Maryada* as outlined in the previous section of this study. Furthermore, it also promoted an *Amritdhari* Sikh identity not only within the SGPC, but also within the Sikh community by applying this definition as the criteria for the electorate of the SGPC also.

As far as the Akalis were concerned, the problem of definition had already been settled by the time the campaign began. When

the first elections for the newly established SGPC were held in 1921, voting was restricted to Khalsa Sikhs and all elected members were required to bear the Five K's (McLeod, 1989b, p.92).

However, for various reasons highlighted in the historical narrative of the Gurdwara Reform Movement given in chapter 3 of this study, the same criteria was not incorporated into the 1925 Act, thus leading to the following problems and contentions outlined in this section.

Although a Tat Khalsa interpretation of the Act would doubtless maintain that its definition of a Sikh necessarily implies the Khalsa identity, the Act does not specify this. A significant loophole remained (McLeod, 1989b, p.94).

McLeod also highlighted that nevertheless, as the Act required a definition of a Sikh to be passed into law, it drew a clear distinction between Sikhs and Hindus, but it failed to continue its distinction in a manner which would define beyond doubt the ideal Sikh as a member of the Khalsa. That was yet to come (McLeod, 2003, p.162).

For the purposes of the legislation, the Sikh Gurdwaras Act, 1925 stated the definition of a 'Sikh' in section 2(9) as:

A person who professes Sikh religion; if any question arises as to whether any person is or is not a Sikh, he shall be deemed respectively to be or not to be a Sikh according as he makes or refuses to make in such manner as the local government may prescribe the following declaration: I, solemnly affirm that I am a Sikh; that I believe in the Guru Granth Sahib; that I believe in the Ten Gurus and that I have no other religion.

Many Hindus and Udasis objected to the last clause in the declaration. They were interested to be voters without being exclusive votaries of the Sikh *Dharam*. Two Hindu members of the Punjab Legislative Council, Raja Narendra Nath and Dr. Gokul Chand Narang had appended their dissent in the Select Committee Report for the Bill (Singh, Kashmir, 2004c, p.9). *Sehajdhari* Sikhs who saw themselves as part of the larger Hindu religious community would thus be forced to declare themselves as separate from the Hindus in order to participate

in the management of Sikh religious institutions.

Regarding this matter, Sir John Maynard (Finance Member) had stated:

If it were necessary to show yet further to what extent the interest of the minorities has been present in the minds of those who have framed and of those who have endorsed and supported this Bill, I would point out that the clause which arranges for the making of by-laws regarding the constitution of the electorate especially protects the *Sehajdhari* Sikhs against exclusion by too intolerant or too impatiently orthodox majority (Ahluwalia (ed.), 1985, p.233).

The working of the Act was also problematic with reference to the definition of a 'Sikh', especially when determining if a deceased person was Sikh or not, since they could not make the declaration. It also implied that anyone who lived before the tenth Guru could not be a Sikh. Furthermore, the word 'professes' caused difficulties. It could be argued in court that a man who died 50 years ago could not prove that he was a Sikh. Therefore, as he could not legally be professed a Sikh, he was automatically considered a non-Sikh.

Due to these discrepancies, the definition was amended in 1930:

“Sikh” means a person who professes the Sikh religion or, in case of a deceased person who professed the Sikh religion or was known to be a Sikh during his lifetime. If any question arises as to whether any living person is or not a Sikh, he shall be deemed respectively to be or not to be a Sikh according as he makes or refuses to make in such manner as the State Government may prescribe the following declaration: I solemnly affirm that I am a Sikh; that I believe in the Guru Granth Sahib; that I believe in the Ten Gurus, and that I have no other religion.

However, there was a problem with this clause also. The expression ‘or was known to be’ was vague because the clause did not indicate to whom that person should be known to be a Sikh or to how many persons. It is also important to note that the last sentence in the original and amended definition meant that denominations such as the Namdharis, Radhaswamis, and Udasis could not legally be defined ‘Sikh’, as they believed in living Gurus after the tenth Guru.

One of the disqualifications for the election of members of the Central SGPC Board of management, the various local Gurdwara committees, and the Judicial Tribunal, is that the person elected should not be a *Patit*. This was to ensure that in theory, the control over all Sikh religious institutions would effectively pass to *Amritdhari* Sikhs. Section 2(10) of the Act defines '*Amritdhari* Sikh' as follows:

*Amritdhari* Sikh means and includes every person who has taken *khande-ka-amrit* or *khanda-pahul* prepared and administered according to the tenets of Sikh religion and rites at the hands of five *Piaras* or beloved ones.

As to the distinction between *Amritdharis* and *Sehajdharis*, the Sindh High Court observed that '*Khalsas*', '*Akalis*', '*Singhs*', all mean *Amritdhari* Sikhs who have been initiated in the manner prescribed by Guru Gobind Singh:

There is no essential or doctrinal difference between *Amritdhari* Sikhs (*Akalis*, *Khalsas* or *Singhs*) and *Sehajdhari* Sikhs. The

former are distinguished by the fact that they go through a ceremony of initiation or baptism and observe with strictness the five *Kakkas* (*Kakars*); *Sehajdharis* are indifferent about these forms; but all are Sikhs in that they believe in the ten Gurus and Granth Sahib and accept no other authority in religion (*Dayal Singh Charsingh vs. Tulsidas Tarachand*, 1945 in Singh, Kashmir, 2004c, pp.11-12).

A circular dated 4<sup>th</sup> June, 2001 issued by the SGPC Secretary noted that many members of the SGPC were *Patit* and warned them of strict action if they did not rectify themselves. On 6<sup>th</sup> June, 2001, the Head Minister of the Akal Takhat accused SGPC members of use of liquor and misuse of money in their elections. On 20<sup>th</sup> March, 2001, the Head Minister of Takhat Sri Damdama Sahib in an open letter to SGPC members dated 20<sup>th</sup> March, 2001, had made similar allegations (Singh, Kashmir, 2004a, p.270).

Sections 48 and 49 of the Sikh Gurdwaras Act, 1925, state the qualifications of electors. In the 1925 Act, *Sehajdhari* Sikhs with hair-cut were allowed to vote but this had led to many non-Sikhs infiltrating on

the voters list (Singh, Kashmir, 2004a, p.293). The Central Government barred non-*Keshadharis* to get themselves registered as voters by a notification on 8<sup>th</sup> October, 2003, to plug this loophole. However, this amendment is difficult to implement in the absence of photo identity cards. In 1944, a proviso was therefore added to s.49 dealing with the qualification of electors to the following effect:

Provided that no person shall be registered as an elector who (a) trims or shaves his beard or *keshas* except in the case of *Sehajdhari* Sikhs; (b) smokes; (c) takes alcoholic drinks.

With reference to the SGPC and Sikh identity, McLeod notes that as the enrolment as a voter in SGPC elections depends on a prior definition of who is a Sikh, the fact that the electoral definition requires each voter to testify that he or she abstains from alcohol excludes many:

Some firmly reject this item as a part of the definition of a Sikh. Others who might be prepared to include it in an ideal definition acknowledge it to be so widely disregarded in practice as to be meaningless (McLeod, 1989a, p.76).



By an amendment in 1959 a new Section 2(10A), which defines a *Sehajdhari* Sikh, was inserted:

*Sehajdhari* Sikh is a person: (i) who performs ceremonies according to Sikh rites; (ii) who does not use tobacco or *kutha* (halal meat) in any form; (iii) who is not a *Patit*; and (iv) who can recite *Mul Mantar*.<sup>29</sup>

The affirmative requirements of performing ceremonies and reciting the *Mul Mantar* however, are not specifically prescribed even for *Amritdhari* Sikhs, although the negative ones may be deemed to be applicable to them. Furthermore, although *kurahits* are undefined in the Act, *Patit* is defined in Section 2(11) as:

A person who being a *Keshadhari* Sikh trims or shaves his beard or *keshas* or being an *Amritdhari* Sikh commits any one or more of the four *kurahits*.

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<sup>29</sup> The opening verse of the Guru Granth Sahib by Guru Nanak Dev expounding the defining characteristics of God.

The clause applies all the prohibitions to the *Amritdhari* Sikhs and only one of the prohibitions to the *Keshadhari* Sikhs. Those who are neither *Amritdharis* nor *Keshadharis* cannot become *Patit* under the Act. It implies that any Sikhs who do not fall into these two categories cannot be declared *Patit* even if they violate any or all of the prohibitions. In the provision, a *Keshadhari* after cutting their hair becomes a *Patit* and not a *Sehajdhari* Sikh. Similarly an *Amritdhari* cannot claim to be a *Sehajdhari* after committing any of the *kurahits*. The case of *Sehajdharis* was further problematised by comments made by the then President of the SGPC, Avtar Singh Makhar in December, 2008, who stated that even though *Sehajdharis* could vote in the SGPC elections under the provisions of the Sikh Gurdwaras Act, 1925, they were not Sikhs at all if they cut their hair (Bharadwaj, 2008), thus implying that they were infact *Patit*.

Thus it can be seen that the attempts to incorporate definitions of a 'Sikh' into the framework of the Act were necessary but inevitably problematic. Within the context of these contentions, a more accurate definition of a *Patit* would therefore be any Sikh who commits any of the four *kurahits*, although this definition would theoretically

significantly reduce the number of Sikhs and would not take into account the fact that people make religious commitments at different paces in their lives. No official records or statistics are kept of people who actually take *Amrit* and therefore statements such as 'orthodox majority' that were made by Maynard are debatable, as in practice, those who actually take *Amrit* and maintain their *Rahit Maryada* could now be in the minority.

If the aims of the Sikh Gurdwaras Act, 1925 are to be met authentically and successfully in terms of the 'maintenance and furtherance of the Sikh religion' then, the narrowing of a definition of a Sikh in the Act which conforms to the Khalsa ideal would assist by encouraging Sikh *Dharam* practitioners to constitute the SGPC and the SAD. However, as McLeod (1989b) asserts, the religious role of the SGPC has in time exalted a narrowly Khalsa identity and served to 'frighten away' virtually all who would otherwise be prepared to call themselves *Sehajdhari* (p.101). This dilemma is also articulated by Takhar:

Should the definition of a Sikh be less Khalsa orientated so that it can take into consideration the influences of western society on

the younger generation in particular, or, should it retain its Khalsa orientation in order to preserve the essence of what a Sikh really is outwardly and inwardly in the face of possible dilution of Sikh culture and meaning? (Takhar, 2005, p.33).

Furthermore, a person's momentary actions, integrity and commitment to the *Rahit Maryada* once they have taken *Amrit* is not possible to monitor or record. From a Sikh theological perspective, such judgement of a person is God's prerogative alone (Guru Arjan Dev, Guru Granth Sahib, p.1082). Thus, the legislation has failed to appreciate that just as human individuals vary in character, so does their personal commitment to the *Dharam* and the level of their spirituality, therefore making it difficult to formulate generic definitions.

### 5.3 Defining caste.

The Sikh Gurdwaras Act, 1925 contained several clauses pertaining to caste despite the fact that the Sikh *Dharam* negates the very concept of caste itself. This section discusses the caste system from a Sikh theological perspective and then compares and contrasts it with the references to caste in the Act. It then discusses the consequences of this discrepancy in the implementation of the Act.

#### 5.3.1 The caste system defined from a Sikh theological perspective.

The Sikh Sacred Scriptures completely negate the caste system and instead teach that all human beings are equal regardless of their labels of caste, class, status or race:

*Jaath kaa garab n kar moorakh gavaaraa.*

*Eis garab thae chalehi bahuth vikaaraa.*

*Chaaarae varan aakhai sabh koe.*

*Breham bi(n)dh thae sabh oupath hoe.*

*Maattee eaek sagal sa(n)saaraa.*

*Bahu bidhh bhaa(n)ddae gharrai kumhaaraa.*

Do not be proud of your social class and status, you ignorant fool!

So much sin and corruption comes from this pride. Everything says that there are four castes, but they all emanate from the same drop of God's seed. The entire Universe is made of the same clay. The Potter (God, the Creator) has shaped it into different shapes of vessels (Guru Amar Das, Guru Granth Sahib, p.1128).

*Maanas kee jaath sabai eaekai pehachaanabo.*

Recognise the whole of the human race as one (Guru Gobind Singh, Dasam Granth, p.47).

*Charaae pair dharam dhae chaar varan eik varan karaaeiaa.*

All four castes were converted into the one caste of humanity (Bhai Gurdas, Vaar 1, Pauri 23).

The Sikh Sacred Scriptures also advise against anything which is divisive and which is not conducive to cohesion, harmony and unity. One is required to put aside their differences in an effort for achieving

harmony and cohesion and to dispel any divisions (which can be applied to caste):

*Hoe eikathr milahu maerae bhaae dhubidhhaa dhoor karahu liv laae.*

Come and join together as brothers; dispel your divisions and let yourselves be lovingly absorbed into God (Guru Arjan Dev, Guru Granth Sahib, p.1185).

### **5.3.2 The caste system defined by the Sikh Gurdwaras Act, 1925.**

The Act ensured that there would be 12 members representing Mazhabi Sikhs, Ramdasia Sikhs or Kabeer Panthi Sikhs within its constitution. The provincial Government in consultation with the Board (the SGPC) was to select 12 constituencies from among the constituencies specified in Schedule IV and constituencies so selected were to be plural constituencies each returning two members, of whom one would be Mazhabi Sikh, a Ramdasia Sikh or a Kabeer Panthi Sikh and the other would be a Sikh other than those aforementioned (Gandhi, 1993, p.209). Section 43A which provides for the composition of the SGPC Board was

inserted into the Act in 1959 and has since been amended by the Ministry of Home Affairs in 1978, 1996 and 1999. The requirement is for 170 elected members to include 20 Sikhs from Scheduled Castes, and 30 women (5 of whom must belong to Scheduled Castes also).

Representation of the Sikh scheduled castes, such as Ramdasias, Mazhabis, and Kabeer Panthis, not only affected the numerical pattern of the SGPC but was intended to act as a moral imperative for the SGPC to shape its policies in such a way that all castes identifying themselves as Sikhs would reap equal benefits. Nevertheless, although it was argued that the clauses pertaining to caste in the Act were incorporated as a preventative measure against caste-discrimination, ironically, the insertion actually embedded and entrenched the caste system because it encouraged people to permanently confine themselves to these castes in order to be selected to the Board (the SGPC), (Gandhi, 1993, p.209).

The inclusion of clauses in the Act pertaining to caste, are therefore a direct contradiction to the teachings of the Sikh Sacred Scriptures, as they encourage distinctions and acknowledge and exacerbate perceived differences. By augmenting caste divisions, the provisions in the Act



regarding caste are not conducive for '*Panthic Ekta*' – or the unity of the entire Sikh community as a whole. An extract from Hailey's speech during the drafting of the Bill speech also emphasised the need to avoid any exclusiveness which would foster schism in the way that caste divisions do:

The minorities among the Sikhs cherish their position in the community; they share its traditions and have contributed to its achievement; let the majority remember that rigidity in doctrine and exclusiveness in practice foster schism and disintegrate religions (in Ahluwalia (ed.), 1985, p.273).

## **Conclusion**

It is evident that although the issues of defining a Gurdwara; Sikh identity; and caste, were not primary concerns during the Act's formulation, they have nevertheless impacted negatively upon the Act's implementation. Most importantly, the theological evaluation in this chapter has highlighted how the content and nomenclature within the

Act failed to incorporate the teachings contained within the Sikh Sacred Scriptures.

The chapter has highlighted that this contradiction between the content of the Sikh Gurdwaras Act, 1925 and between the teachings of the Sikh Sacred Scriptures has subsequently led to discrepancies and disagreements, thereby jeopardising the efficiency and success of the Act's implementation.

As identified in the literature review, this theological evaluation has not been done before and therefore adds significantly to the discourse on Gurdwara management and Gurdwara legislation. Continuing the theological evaluation of the Sikh Gurdwaras Act, 1925 through an interpretation and application of the Sikh Sacred Scriptures, the following chapter addresses issues arising with the Sikh Gurdwaras Act, 1925 relating specifically to the SGPC and the SAD.

## **CHAPTER SIX – THEOLOGICAL EVALUATION OF ISSUES ARISING WITH THE SGPC AND THE SAD IN RELATION TO THE SIKH GURDWARAS ACT, 1925**

Having evaluated problematic issues arising with the implementation of the Sikh Gurdwaras Act, 1925, this chapter continues the theological evaluation of the Act through an interpretation and application of the teachings in the Sikh Sacred Scriptures.

The chapter firstly engages in a discussion about resources and finances from a Sikh theological perspective and uses this as a basis for analysis of issues arising regarding resources and finances with the SGPC and the SAD in relation to the Sikh Gurdwaras Act, 1925. Secondly, it engages in a discussion about politics and power from a Sikh theological perspective and similarly uses this as a basis for analysis of issues regarding politics and power arising with the SGPC and the SAD in relation to the Act. Thirdly, it engages in a discussion about the criteria and selection process of religious leaders from a Sikh theological perspective and uses this as a basis for analysis of issues regarding

criteria and selection process of the SGPC and the SAD in relation to the Act.

The theological evaluation in this chapter ultimately highlights a discrepancy between the content of the Sikh Gurdwaras Act, 1925 relating to the constitution, roles and activities of Sikh leadership institutions (namely the SGPC and the SAD); and between the teachings of the Sikh *Dharam* in the Sikh Sacred Scriptures. This discrepancy subsequently jeopardised the Act's implementation, efficiency and success as illustrated by the problems discussed in this chapter.

It is therefore implied that there is a need to accurately incorporate concepts and teachings from the teachings of the Sikh *Dharam* as espoused in the Sikh Sacred Scriptures, into the Sikh Gurdwaras Act, 1925. This is in order for it to fulfil and implement the Act's aims and objectives authentically and successfully; and in order to produce a more authentic and successful Sikh religious leadership for the future of Gurdwara management.

## 6.1 Resources and finances.

As highlighted in the historical evaluation of the Sikh Gurdwaras Act, 1925 in chapter 3 of this study; ever since its genesis in the early 1920s, the SGPC had acquired a status of the main spokesperson of Sikh interests. The Sikh Gurdwaras Act, 1925 provided the SGPC with a platform to increase their legitimacy and to extend their reach to the Sikh community. The SGPC administered a fund for the propagation of the Sikh *Dharam* through which 'touring' preachers and *Kirtanis* (musicians who sang Gurbani) were recruited to spread its ideology through the rural areas of Punjab. Furthermore, the SGPC issued edicts through the *Jathedars* of auspicious Gurdwaras and utilised hundreds of other Gurdwaras to reach Sikh congregations and again spread its ideology. The SGPC thus increased and established its spiritual, institutional and political authority amongst the Sikhs.

As the SGPC has vast administrative responsibilities, it also has vast resources to implement them and is an affluent institution. It possesses the human, communicational and moral resources of the Sikh Gurdwaras. These Gurdwaras being multi-functional, not only cater for

the spiritual needs of the Sikh community but also provide them with economic and social facilities, which the SGPC also administers along with the control of monetary, personnel and institutional resources. These resources provide the SGPC with an effective infrastructure for mass-communication and support mobilisation. The SGPC owns two printing presses at its Headquarters at Teja Singh Samundri Hall within the Darbar Sahib complex, Amritsar, from where it publishes religious publications.

The SGPC employs a strong contingent of personnel, with administration running approximately into the tens of thousands. However, there are no consolidated records available to determine the total number of personnel on the SGPC payroll even now. From 1980-81, the budget estimates for the salaries of the employees of the SGPC was Rs. 2564200 (Singh, Gobinder, 1986, p.90). The SGPC maintains a large number of differentiated and specialised services for the performance of its multifarious functions. In addition to bureaucratic staff at its headquarters in Amritsar, it has a permanently recruited field staff to propagate the Sikh *Dharam* to Sikhs in Punjab and elsewhere in the world. The SGPC's paid personnel includes hundreds of *Ragis*

(hymn singers), *Dhadis* (ode singers), *Parcharaks* (preachers), *Kavishars* (stage poets), *Singh Sahibs* (initiators), *Sevadars* (attendants), drivers, mechanics and others. In addition to this, staff recruited and maintained by each of the Gurdwaras fall under the category of SGPC personnel.

The SGPC also runs Colleges for the training of its preachers, makes financial grants to several of Sikh educational institutions and runs numerous hospitals and dispensaries. In 2009 its website listed 16 colleges, 9 schools, and 19 public schools running under its jurisdiction ([www.sgpc.net](http://www.sgpc.net) accessed on 3<sup>rd</sup> December, 2009). As a consequence, the SGPC also has influence over employees of these institutions.

Turning now specifically to the SGPC's financial resources, the SGPC has access to substantial monetary funds because the Sikh Gurdwaras Act, 1925 required the local Gurdwara committees to pay an annual contribution. The SGPC exercises control over these finances and operates many additional funds. The annual budget for 2011-2012 was estimated at approximately Rs. 5800000 (Author unspecified, article in *Global Sikh News*, 2011).

In theory, under the Sikh Gurdwaras Act, 1925, the SGPC was only to have a supervisory role as an apex body and therefore was only to have limited access to finances provided to it through the Sikh Gurdwaras Act, 1925. Furthermore, the Act stated in s.106 that the Gurdwara committees were only to utilise the income for the improvement of the religious institutions under their charge; the maintenance of religious worship; and the payment of the salaries of their employees. In practice however, the SGPC controlled income of over Rs. 2000000 in 1925 alone, which enabled the SGPC to extend its activities and spend on a larger scale not only on the propagation of the Sikh *Dharam* but also on educational and charitable projects. The staffing of the SGPC's institutions, in addition to the hundreds of personnel necessary for the management of Sikh religious institutions and their property, created a significant network of patronage for the SGPC. The use of the SGPC's considerable financial resources and its patronage, in turn, provided it with enormous leverage in seeking and maintaining support from powerful sectors within the Sikh community.

Access to and the autonomous control of these substantial funds enabled the SGPC to establish a centralised bureaucracy to assist its



executive committee and thereby develop a highly organised system of control over the local Gurdwara committees. According to Giani Kartar Singh, the Act was revolutionary, for it ushered in a new era in the administrative history of the SGPC and was also revolutionary in its social effect because it gave the SGPC the real control over the funds of the local committees (Gandhi, 1993, p.211).

The SGPC's 'Religious Fund' is controlled by an 8 member committee of the SGPC and is for the 'promotion of the Sikh religion'. As per s.108 it consists of contributions made by all the notified Gurdwara Committees, (5-15% of their incomes). The funds and any surplus of the funds of the Gurdwaras and their bodies can be used only for purposes as are connected with the general uplift and welfare of the *Panth*. The specific purposes on which this money can be spent on are: religious, charitable, industrial and educational (sections 106 – 111).

Section 106 of the Act also states that the SGPC receives one-tenth of the income of all the Gurdwaras and local committees which it manages. It can also claim the surplus income of any Notified Sikh Gurdwara (s.111). Furthermore, the Act also gave the power to the SGPC Board to

fix the proportion (not exceeding 10% of the annual income) of contribution to be given by each Gurdwara. However, the SGPC Board could at its discretion, reduce the amount of contribution due to the SGPC Board from any committee or Gurdwara in a year for any special reason under s.107. In certain cases the SGPC Board could prescribe the limit or annual income of the Gurdwara or Gurdwaras which might be totally exempted from making the contribution payable to the SGPC Board (Gandhi, 1993, p.208).

The Act did however impose statutory constraints on the SGPC which meant that the SGPC could not get the amount over and above their expenditure from the local committees; furthermore, the SGPC could not spend, even out of its limited funds, more than Rs. 3000 for educational and social purposes (Gandhi, 1993, p.192). However, in the amended Act there are additional funds without these statutory constraints, which the SGPC controls and accesses from the Notified Gurdwaras for specified purposes (s.112); and Research Funds (which are contributed to by the General SGPC Board Fund and income of Gurdwaras from s.85) for the research and publication in the field of Sikh History (s.108-A).

In another attempt to ensure accountability and transparency, the Sikh Gurdwaras Act, 1925 determined that all financial accounts of SGPC funds are to be audited by two sets of auditors separately. The internal auditor is appointed and paid by the SGPC whereas the external auditor is appointed by the Government and its expenses are subtracted from the funds that it examines (sections 115 and 118). However, the powers granted to the SGPC in s.119 somewhat negate this restraint, as it allows the SGPC to pass their own budget; to scrutinise the proposed budget of the Committee; and to make any suggestions for modifications.

Several amendments made to the Sikh Gurdwaras Act, 1925 also increased the financial resources and autonomy of the SGPC over them. The SGPC Board became entitled to make bylaws under s.137B for regulation of its procedure and levying fees. Furthermore, at a meeting of the SGPC held on 3<sup>rd</sup> February, 1945, it was decided that the direct control over finances would be enforced by appointing managers to 7 Gurdwaras in the Punjab who would direct half of those Gurdwaras' income to the SGPC Central Fund. These funds would be used for the

propagation of the Sikh *Dharam*; to increase the number of Sikhs at the next census; the construction of a Gurdwara Broadcasting Station at Amritsar; the establishment of Sikh-controlled Banks and factories; and a secretariat for the protection of the Sikh rights (Gandhi, 1993, p.212).

The *East Punjab Act No. XLIV of 1948* and *East Punjab Act No. XXXII of 1949* also amended provisions in the Sikh Gurdwaras Act, 1925 affecting the SGPC's finances. Section 127 already enabled the SGPC Board to hold and administer trust funds for religious, charitable, educational or industrial purposes. Subsections 127A and 127B also made the SGPC Board the sole authority to collect dues payable to the notified Sikh Gurdwaras in Pakistan. Another amendment was that local committees defined under s.85(2) were abolished by the *Amending Act* and henceforward only 5% of the gross income of Gurdwaras was to be earmarked for promotion and uplift of Sikh industries.

Under an amendment to s.108 (s.108-B), the SGPC Board establishes and administers a Research Fund and a Religious Fund, as well as framing rules for their administration. This amendment of s.108 therefore enables the SGPC to exercise wider powers in connection with

the utilisation of the General SGPC Board Fund. Formerly, any surplus left over from the maintenance, protection and support of historical Gurdwaras could only be used on limited items. Now scope was widened for the SGPC to utilise such surplus funds on Sikh industries and on non-political purposes such as the general uplift and welfare of the *Panth* (if the SGPC Board so wished).

#### **6.1.1 Resources and finances from a Sikh theological perspective.**

It can be seen from the previous section that the Sikh Gurdwaras Act, 1925, provided the SGPC with rights to funds in certain management and administrative capacities for Gurdwaras. This section establishes the Sikh theological context of resources and finances in order to theologically evaluate the issues arising with resources and finances with the SGPC and the SAD in relation to the Act.

It is taught in the Sikh Sacred Scriptures that true resources and finances are actually spiritual wealth in the form of prayer - God's Name (*Naam*). The first quotation refers to human beings as 'dealers'

dealing in 'merchandise', but makes a distinction that the merchandise which human beings should be acquiring is that of God's Name:

*Vanaj karahu vanajaariho vakhar laehu samaal.*

*Thaisee vasath visaaheei jaisee nibehai naal.*

*Agai saahu sujaan hai laisee vasath samaal.*

*Bhaaee rae raam kehahu chith laae.*

*Har jas vakhar lai chalahu sahu dhaekhai patheaae...*

*Har jap laahaa agalaa nirabho har man maah.*

Make your deals, dealers and take care of your merchandise. Buy that object which will go along with you. In the world here-after, the all-knowing Merchant (God) will take this object and care for it. Chant God's Name, and focus your consciousness on God. Take the merchandise of God's Praises with you...Those who chant His Name earn great profits; the Fearless God abides within their minds (Guru Nanak Dev, Guru Granth Sahib, p.22).

*Hehi kabeer niradhhan hai soee.*

*Jaa kae hiradhai naam n hoee.*

Says Kabeer, he alone is poor, who does not have the *Naam*, God's Name, in his heart (Bhagat Kabeer, Guru Granth Sahib, p.1159).

The Sikh Sacred Scriptures teach that if spiritual wealth is made a precursor and priority to any other wealth, then material wealth and success will in fact follow and be blessed by God. *Naam* is also described as imperishable and described as an asset which will in fact multiply the more it is used:

*Dhhanava(n)th naam kae vanajaarae.*

*Saa(n)jhee karahu naam dhhan khaattahu gur kaa sabadh veechaarae.*

*Shhoddahu kapatt hoe niravairaa so prabh sa(n)g nihaarae.*

*Sach dhhan vanajahu sach dhhan sa(n)chahu kabehoo n aavahu haarae.*

*Khaath kharachath kishh nikhuttath naahee aganath*

*bharae bha(n)ddaarae.*

*Kahu Nanak sobhaa sa(n)g jaavahu paarabreham kai dhuaarae.*

Those who deal in the *Naam*, God's Name, are wealthy. So become a partner with them and earn the wealth of the *Naam*.

Contemplate the Word of the Guru's *Shabad*. Abandon your

deception and go beyond vengeance; see God who is always with you. Deal only in this true wealth and gather in this true wealth, and you shall never suffer loss. Eating and consuming it, it is never exhausted; God's treasures are overflowing. Says Nanak, you shall go home to the Court of Supreme God with honour and respect (Guru Arjan Dev, Guru Granth Sahib, p.1219).

The qualities of honesty and benevolence are also taught by the Sikh Sacred Scriptures and are applicable to a discussion on resources and finances. The following quotations from Bhai Gurdas' works address those who deal with money (offerings) from a place of worship and warn that funds from a place of worship should not be misused or mis-spent:

*Thio dharamsal dheeh jhaak hai vi hukha(n) ddoopaaj.*

To set one's eye upon the earnings of a religious place is like eating sugar coated poison (Bhai Gurdas, Vaar 35, Pauri 12).



*Kharaa dhuhaelaa jag vich jis a(n)dhar jhaaku.*

He is ever sorrowful who has cravings for religious earnings in his mind (Bhai Gurdas, Vaar 35, Pauri 13).

The Sikh theological concept of '*Kirat*' is also relevant to a discussion on resources and finances. *Kirat* is one of the three core instructions of Guru Nanak Dev for Sikhs to follow in their daily life.<sup>30</sup> *Kirat* means simultaneous remembrance of God whilst earning an honest living. In this way, any work becomes worship through the cultivation of a mindset which accepts that work is always conducted constantly in God's omnipresence and therefore all work is accountable to God. Once individuals are attuned to the fact that they are constantly working in God's presence, their own conscience becomes the highest state of accountability through the realisation that God is constantly sitting within them and watching them. Through the concept of *Kirat*, one is therefore encouraged to be able to apply honesty and integrity in their work, as the Sainly qualities and the realisation of the omnipresence of God are simultaneously nurtured. Even though honesty and integrity are qualitative and difficult to govern, the

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<sup>30</sup> *Naam Japo* (meditate upon God's Name); *Kirat Karo* (earn an honest living); *Wand Chhako* (share with others).

following quotations from the Sikh Sacred Scriptures imply that individuals can develop constant checks and balances on their behaviour through a type of spiritual legislation:

*Sunath paekhath sa(n)g sabh kai prabh naerehoo thae naerae.*

He hears and beholds all; God is with us, the nearest of the near (Guru Arjan Dev, Guru Granth Sahib, p.547).

*Paekhath sunath sadhaa hai sa(n)gae mai moorakh jaaniaa dhooree rae.*

He sees, hears, and is always with me; but I am a fool, and I think that He (God) is far away (Guru Arjan Dev, Guru Granth Sahib, p.612).

*Saajanarraa maeraa saajanarraa nikatt khaloeiarraa maeraa saajanarraa.*

Friend, my Friend (God) - standing so near to me is my Friend! (Guru Arjan Dev, Guru Granth Sahib, p.924).

Sikhs are also taught that they must then share their honest earnings (*Wand Chhako*) with others:

*Nanak agai so milai j khattae ghaalae dhaee.*

O Nanak, in the world hereafter, one only receives what one gives to the needy in this world from their earnings and labour (Guru Nanak Dev, Guru Granth Sahib, p.472).

A minimum of one tenth is stipulated (*dasvandh*), but it is also reminded that in essence, one's body, mind and wealth all belong to God and therefore there is no limit to what can be shared with others:

*Than man dhhan sabh soup gur ko hukam ma(n)niai paaseai.*

Surrender body, mind, wealth, and everything to the Guru; obey God's Will and you will find Him (Guru Amar Das, Guru Granth Sahib, p.918).

Another concept in the Sikh Sacred Scriptures in relation to resources and finances is that of selflessness (*Nishkaamta*), or the need to engage in selfless service (*Nishkaam Sewa*). *Nishkaamta* can be explained as the need to go beyond oneself by giving, but without expecting any material or spiritual reward in return. *Nishkaamta* is a key concept in the Sikh Sacred Scriptures, as it taught that by serving selflessly, one

can serve limitlessly and this in turn helps to cultivate other divine qualities because there is no ulterior motive to performing the service. It also means that one serves in an Infinite context because, again paradoxically, it is only through selflessness and by doing something for nothing, that one is not limited in how much they serve. The following quotation explains that those who serve without want of any reward are the ones who are in fact liberated, because they kill their ego through the cultivation of humility:

*Saevaa karath hoe nihakaamee. This ko hoth paraapath suaamee.*

He who serves selflessly, meets God (Guru Arjan Dev, Guru Granth Sahib, p.286).

In a spiritual context, the utmost state of selflessness is where one is spiritually alive and connected to the Infinite God, but metaphorically dead within their mind to the material world:

*Jeevath marehi dharageh paravaan.*

Remain dead while yet alive, and you shall be welcomed in God's Court (Guru Arjan Dev, Guru Granth Sahib, p.176).

*Pehilaa maran kabool jeevan kee shhadd aas.*

*Hohu sabhanaa kee raenukaa tho aao hamaarai paas.*

First, accept death, and give up any hope of life. Become the dust of the feet of all, and then, you may come to Me (God), (Guru Arjan Dev, Guru Granth Sahib, p.1102).

*Muradhaa hoe mureedh n galee(n) hovanaa.*

*Saabar sidhak seheedh bharam bho khovanaa.*

Only by becoming dead in life, (totally detached and losing one's ego), and not through mere verbal jargon, can one become a true disciple. This can only be attained after making sacrifices for truth and contentment and by shunning delusions and fears (Bhai Gurdas, Vaar 3, Pauri 18).

*Gur moorath musathaak mar mar jhavinaa.*

Becoming an avid suitor of the form, the Word of the Guru (through *Naam*) and being dead to greed, infatuation and other relational propensities, he should remain alive in the world (Bhai Gurdas, Vaar 3, Pauri 19).

In other words; this state of spiritual liberation as described in the above quotations, is a state of mind. The Sikh Sacred Scriptures reveal that the mind is the embodiment of the Divine and that it is the key to realising God:

*Man jeethai jag jeeth.*

If you conquer your own mind, you will conquer the world  
(Guru Nanak Dev, Guru Granth Sahib, p.6).

#### **6.1.2 Issues arising with resources and finances with the SGPC and the SAD in relation to the Sikh Gurdwaras Act, 1925.**

Unlike the Sikh Sacred Scriptures which refer to spiritual resources and assets, the Act only refers to material resources; material assets; and monetary finances. However, from a Sikh theological perspective, the success of the SGPC is not determined or measured by its wealth of material resources or monetary assets, but is determined by how much the repetition and practice of *Naam* is encouraged and by how much its members practice *Naam*, as it is these factors which will ensure its

success. However, there is a lack of provisions in the Act to recruit genuine faith practitioners who sincerely endeavour to practice *Naam*.

The remuneration of members is outlined in s.68 of the Sikh Gurdwaras Act, 1925, which states that any member of the executive committee may receive out of the fund of the SGPC Board such salary or other remuneration as may from time to time be fixed by the SGPC Board in a general meeting. The salary of the Executive Committee is also fixed by the SGPC Board (s.68), as is that of any servants (s.69). Remuneration is also fixed by the Government in consultation with the SGPC Board (s.73) for the Judicial Commission, and s.141 deems the salaries of the office-holder to be their property. However, the Act fails to take into account the concept of *Nishkaamta*, without which, (according to the Sikh Sacred Scriptures) service can become devoid of devotion and without which the payment becomes the motive for the service and divine qualities are not cultivated or exercised.

Additional Sikh concepts such as *dasvandh* or *Kirat* are not incorporated into the Act either. The SGPC faces frequent accusations of misappropriation of funds from 'commission purchase committees';

foul-play in rent and leasing; commercialisation of pilgrimages; *karah prasad*<sup>31</sup> scandals; and unjustifiable personal expenditure on perks. 'The Opposition blames the present SGPC set up for "extravaganza" and even misuse of funds of the SGPC' (Rataul, 2011). The theological concepts from the Sikh Sacred Scriptures of *dasvandh* and *Kirat* discourage such behaviour, which if continued could ironically undo the work of the Gurdwara Reform Movement and echo the behaviour of the *Mahants*.

The Chief Khalsa Dewan took strong exception to several of the amendments made to the Sikh Gurdwaras Act, 1925 affecting the SGPC's resources and finances for this very reason. Section 85 of the Act meant that more historical Gurdwaras were included in the SGPC's control along with 2 Takhats. The Chief Khalsa Dewan stated that this would lead to mismanagement and neglect of the local interests:

A big amendment proposed in this section does away with the local committees of s.85 Gurdwaras. Now there are local committees for the Gurdwaras and the SGPC supervises their

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<sup>31</sup> *Prasad* is literally a blessed food which is served to the congregation at Gurdwaras. Devotees can specifically donate fixed amounts of money towards the offering.



working. In spite of this check, the leaders of the Akalis have time and again complained against the mismanagement of the Gurdwaras, now there will be no check left to supervise their working. To what mismanagement this may lead to, you can imagine. This is the first object to this amendment. The second is that the local interest in the management of these Gurdwaras will be altogether done away with. The SGPC sitting at a far-off place will appoint managers who may do anything without any local supervision to check them, and they will prepare the budgets not with a view to conserve the importance of the Gurdwaras but to please the SGPC, a central body. This amendment will not lead to the better management of the Gurdwaras (in Gandhi, 1993, p.209).

The Chief Khalsa Dewan also argued against amendments made to s.108 because the amendments conferred a more absolutist power on the SGPC by allowing it to exercise control of local committees of management of the notified Gurdwaras; they allowed the SGPC to exercise stricter control over the funds of the local committees; and they allowed the SGPC to collect money over and above their expenditure

for larger projects in accordance with the spirit and dictates of the amended Act:

The SGPC is a supervising body; it should take from the Gurdwaras only the amount that is sufficient to keep its working in going order. The Gurdwaras are themselves competent to use the savings for any religious, charitable or educational purposes. Why the SGPC, who is merely a supervising body to see that the Gurdwaras are properly managed should duplicate this work by extracting more money from the Gurdwaras and do the same work themselves. If the Gurdwaras themselves do this work, they will do it according to the needs of the localities. If the SGPC undertakes this work, it may drain all funds of the Gurdwaras for some institution in which the locality is not interested but in which the SGPC may have a special interest. Besides, the funds of the Gurdwaras are primarily for their maintenance and for keeping the religious services up to the mark and at their expense they should not be used for other charitable or educational purposes (in Gandhi, 1993, p.211).

## **6.2 Politics and power.**

This section now discusses politics and power with reference to the Sikh Gurdwaras Act, 1925; and the SGPC and the SAD. Referring to the SGPC during the drafting of the Act, Hailey himself had stated a dislike for the idea of instituting a central Sikh body which was always liable to 'misuse for political purposes the position derived from religious causes' (in Kapur, 1986, p.188). Nayar (1966) also argues that the result of the Sikh Gurdwaras Act, 1925 was detrimental to Sikhs because it broke the link between the Sikhs and the British Government and it made available to the SGPC and thus to the SAD, the enormous political and economic benefits that came from control of the Gurdwaras.

The SGPC asserts authority as an elected assembly representing the will of the Sikhs. However, this means that its orientation is defined by the party which happens to be in power. As the SGPC has been continuously dominated by the SAD, it has been steered in accordance with the SAD's own political priorities.

Kirpal Singh Majithia, Honorary Secretary of Chief Khalsa Dewan, Amritsar, had stated that the *Sikh Gurdwaras and Shrines Bill, 1925* was designed to enable the SGPC to arrogate to itself the political leadership of the Sikhs (Gandhi, 1993, p.209). The passing of the Sikh Gurdwaras Act greatly strengthened the SAD for consolidating the hold of the party and defeating the challenges to its authority at the next Gurdwara elections (Gandhi, 1993, p.212).

#### **6.2.1 Politics and power from a Sikh theological perspective.**

It can be seen from the previous section that the Sikh Gurdwaras Act, 1925 provided the SGPC and the SAD with scope to abuse politics and power. This section establishes the Sikh theological context of politics and power in order to theologically evaluate the issues arising with politics and power with the SGPC and the SAD in relation to the Act.

The following quotations from the Sikh Sacred Scriptures warn about how secular and political power is detrimental to one's spiritual progress because it detracts one from spirituality. The reference to

secular and political power can be inferred from the example given of an emperor, a secular ruler and an emperor's secular duties:

*Sulathaan hovaa mael lasakar thakhath raakhaa paao.*

*Hukam haasal karee bait(h)aa naanakaasabhai vaao.*

*Math dhaekh bhoolaa veesarai thaeraa chith n aavai naao.*

If I were to become an emperor and raise a huge army, and sit on a throne, issuing commands and collecting taxes - O Nanak, all of this could pass away in a gust of wind. Having these things would be in vain if it meant I might go astray and forget You (God) and if Your Name (*Naam*) would not enter into my mind (Guru Nanak Dev, Guru Granth Sahib, p.14).

The Sikh Sacred Scriptures also state that secular power is insatiable and perpetual and it is therefore unnecessary to be aspiring for such rewards as they will never be fulfilled. Again the reference to secular and political rule can be inferred from the example given of a king as a secular ruler:

*Raajaa raaj n thripathiaa saaeir bharae kisuk.*

The king is not satisfied with his kingdom and even though the oceans are full, they still they thirst for more (Guru Nanak Dev, Guru Granth Sahib, p.148).

The Sikh Sacred Scriptures also emphasise how secular or political power is false and perishable because it does not assist one spiritually in moving closer to God:

*Taaiae parajae hoe kai kar kar vaadh n paae pava(n)dhae.*

Becoming rulers and subjects, people undertake many quarrels but do not go across the world ocean (they are not re-united with God) (Bhai Gurdas, Vaar 28, Pauri 20).

It is also warned that the status gained from such secular and political power is false because all human beings are equal regardless of their secular or political status. The examples given to illustrate this are those of social opposites (royalty and beggars) who are in fact attributed equal status.

*Raajan koun thumaarai aavai...*

*Kabeer ko t(h)aakur anadh binodhee jaath n kaahoo kee maanee.*

O king, who will come to you?...He (God) does not care about anyone's social class (Bhagat Kabeer, Guru Granth Sahib, p.1105).

*Rav rank jih iksar jana.*

The king and the beggar are equal before Him (God), (Guru Gobind Singh, Sri Dasam Granth, p.34).

Any attempts to seek such secular or political status are therefore again futile because it is taught that this status derived from power is meaningless. The Sikh Sacred Scriptures teach that God's love should be sought through humility. The instruction that God's love is realised through humility is inferred from the personified references to God's Feet; it is believed that utmost humility is demonstrated by a devotee by paying respect to the feet of the holy:

*Raaj n chaaho mukath n chaaho man preeth charan kamalaarae.*

I do not seek power, and I do not seek liberation. My mind is in love with Your (God's) lotus feet (Guru Arjan Dev, Guru Granth Sahib, p.534).

*Ouhaa praem piree.*

*Kanik maanik gaj motheean laalan neh naah nehee.*

*Raaj n bhaag n hukam n saadhan.*

*Kishh kishh n chaahee. Charanan saranan sa(n)than ba(n)dhan.*

*Sukho sukh paahee.*

*Nanak thapath haree. Milae praem piree.*

I seek the love of my Beloved (God's love). Gold, jewels, giant pearls and rubies - I have no need for them. Imperial power, fortunes, royal command and mansions - I have no desire for these. The sanctuary of God's feet, and dedication to the Saints - these bring me peace and pleasure. O Nanak, my burning fire has been put out, obtaining the Love of Beloved God (Guru Arjan Dev, Guru Granth Sahib, p.406).



Many verses illustrate that only spiritual power through the love and remembrance of God is 'true power' as opposed to secular or political power. This is demonstrated in the following quotations again by making reference to kings, kingdoms and secular rulers; and by emphasising that only those who remember God become rulers in the spiritual ('true') sense. For example:

*Prabh ko simarehi s sarab kae raajae.*

Those who remember God are the rulers of all (Guru Arjan Dev, Guru Granth Sahib, p.263).

*Jis naam ridhai soee vadd raajaa.*

He alone is a great king, who keeps *Naam* (God's Name), within his heart (Guru Arjan Dev, Guru Granth Sahib, p.1155).

The Sikh Sacred Scriptures also state that the Guru's spiritual authority is superior to secular and political authority by stating that it is the Guru who is the true authority; and that the Guru is in fact the creator and controller of emperors and of those who are in positions of secular authority:

*Sathigur sachaa paathisaahu paathisaahaa paathisaahusira(n)dhaa.*

The Guru is the true emperor and he is creator of the emperor of the emperors. He sits on the throne of truth and resides in the holy congregation, the abode of truth (Bhai Gurdas, Vaar 26, Pauri 1).

The following quotation makes the same point but with reference to Guru Nanak Dev's interactions with *Siddhs* (sages) and officials of the Mughal Emperor, Babur. The quotation illustrates that Guru Nanak's spirituality was superior to both these groups of people and in fact reformed them. It then refers to Guru Nanak Dev as being the king of both the spiritual and temporal world, which can be interpreted to mean that the Guru holds control and authority of both spiritual and temporal affairs.

*Sidhh naathh avathaar sabh gosatt kar kar ka(n)n farraaeiaa.*

*Babur kae baabae milae niv niv sabh nabaab nivaaeiaa.*

*Pathisaahaa mil vishhurrae jog bhog shhadd chalith rachaaeiaa.*

*Dheen dhuneaaa dhaa paathisaahu baemuhathaaj raaj ghar aaeiaa.*

In discussions he (Guru Nanak Dev) outsmarted the *Siddhs* (sages) and the incarnations of gods. Men of the Emperor Babur came to Baba Nanak (Guru Nanak Dev) and the latter made them bow in humility. Guru Nanak met the emperors as well and by making them become detached from the enjoyments and renunciation he performed a wonderful feat. King of the spiritual and the temporal world (Guru Nanak Dev) travelled the earth (Bhai Gurdas, Vaar 26, Pauri 21).

God is described in the Sikh Sacred Scriptures as the true leader of His worldly creation and it can therefore be interpreted that all accountability and subservience is ultimately to God and not to secular leaders or worldly authorities. Some of the many adjectives used to describe God as the highest authority include the Divine 'king' and 'emperor' of all:

*Mamo dhaev dhaeva(n) namo raaj raaja(n).*

*Niraala(n)b nithayaa(n) s raajaadhhiraaja(n).*

I salute Him, who is the God of gods and King of kings. He is supportless, eternal and greatest of emperors (Guru Gobind Singh, Sri Dasam Granth, p.96).

God's benevolent and Divine rule is contrasted directly with the worldly detrimental state of secular and political rule which is described as having leaders who are untruthful, deceitful, false, corrupt and proud. The following quotations from the Sikh Sacred Scriptures are Guru Nanak Dev's eye witness accounts of the Mughal Empire during the time of Emperor Babur and Guru Gobind Singh's observations of Emperor Aurangzeb's rule:

*Koor bol muradhaar khaae. Avaree no samajhaavan jaae.*

*Mut(h)aa aap muhaaeae saathhai. Nanak aisaa aagoo jaapai.*

Telling lies, they eat dead bodies. And yet, they go out to teach others. They are deceived, and they deceive their companions. Oh Nanak, such are the leaders of men (Guru Nanak Dev, Guru Granth Sahib, p.139).

*Kal kaathee raajae kaasaaee dhharam pa(n)kh kar ouddariaa.*

*Koorr amaavas sach cha(n)dhramaa dheesai naahee keh charriaa.*

The Dark Age of “*Kal Yuga*” is the knife, and the kings are butchers; righteousness has sprouted wings and flown away. In this dark night of falsehood, the moon of Truth is not visible anywhere (Guru Nanak, Guru Granth Sahib, p.145).

*Saahaa(n) surath gavaaeaaa ra(n)g thamaasai chaae.*

*Baburavaanee fir gee kueir n rottee khaae.*

The kings had lost their higher consciousness, revelling in pleasure and sensuality. Since Emperor Babur’s rule has been proclaimed, even the princes have no food to eat (Guru Nanak, Guru Granth Sahib, p.417).

*Paap kee ja(n)n(j) lai kaabalahu dhhaaeiaa joree ma(n)gai dhaan vae lalo.*

*Saram dhharam dhue shhap khaloae koorr firai paradhhaan vae lalo.*

Bringing the marriage party of sin, Babur has invaded from Kabul, demanding our land as his wedding gift, oh Bhai Lalo. Modesty and righteousness both have vanished, and falsehood

struts around like a leader (Guru Nanak Dev, Guru Granth Sahib, p.722).

*Shainshah Aurangzeb Aalmee. Ke dhararae dhoar asth dhoor asth dhe.*

Though you are the king of kings, oh Aurangzeb - you are far from righteousness and justice (Guru Gobind Singh, Dasam Granth, p.2271).

The following quotations from the Dasam Granth by Guru Gobind Singh describe times of secular rule to be void of spirituality and rife with misconduct, where honour and respect is forsaken; *Dharam* is forgotten; and where leadership is being provided by the unholy and sinful:

*Sudharam dharam hai dhritan dharaesanan.*

*Adharam parmanan dhritan karamno krithan.*

*Kae ulangh dharam karmanan adharam dharam biaap hai.*

*Su thiag jag japno ajog jaap jaap hai.*

The kings of the earth will destroy *Dharam*; the life of *adharma* (no religious faith) will be considered authentic and bad actions will

be considered worth doing. The people will neglect religion and the path of evil will prevail everywhere; forsaking the repetition of God's Name, people will repeat worthless *mantras* (chants), (Guru Gobind Singh, Sri Dasam Granth, p.1139).

*Kriya paap kee leen naar nar rank ar raja.*

*Paap prachur bap keen dharam dhar pankhan bhaja.*

The king and his subject, the high and low, all of them adopted the activities of *adharma* (activities against religious faith); sin increased greatly and *Dharam* disappeared (Guru Gobind Singh, Sri Dasam Granth, p.1151).

The 'Miri-Piri' concept also reiterates the relationship between the spiritual, or saintly authority; and between the secular, worldly, or soldierly authority. *Miri-Piri* was a concept apparent in the Sikh *Dharam* from the very outset, from Guru Nanak, right through to Guru Gobind Singh. The concept was consolidated by Guru Hargobind, the sixth Guru, who promoted the practical enactment of the *Miri-Piri* concept by the wearing of two swords representing both spiritual (*Piri*) and temporal (*Miri*) authority. This concept is also symbolised through

the creation of the Akal Takhat by Guru Hargobind, the seat of temporal authority of the Sikh *Dharam*, as one of the five main seats of authority in the Sikh *Dharam*.

This is closely linked and synonymous with the '*Sant-Sipahi*' concept (Saint-Soldier) attributed to Guru Gobind Singh Ji when the *Khalsa* was created in 1699. Being a *Sant-Sipahi* requires one to be a Saint first and then a Soldier; which can be interpreted to mean that one's saintliness and spirituality should always come first and foremost and that one's spirituality should guide them in their secular and political matters.

References to such concepts in the Sikh Sacred Scriptures teach that a true 'warrior' is one who loves God, accepts His will, and who controls his mind through *Naam*:

*Jaa ko har ra(n)g laago eis jug mehi so keheeth hai sooraa.*

In this age, only he is a true warrior, who is attached with love to God (Guru Arjan Dev, Guru Granth Sahib, p.679).



*Gur kaa sabadh manae so sooraa.*

*Saachee dharageh saach nivaasaa maanai hukam rajaaee hae.*

He alone is a spiritual hero, who believes in the Word of the Guru's *Shabad* (*Naam*). He alone obtains a true seat in God's true court, who surrenders to God's command (Guru Nanak Dev, Guru Granth Sahib, p.1023).

*Sooraa so pehichaaneeai j larai dheen kae haeth.*

He alone is known as a soldier, who fights for *Dharam* in the spiritual battlefield of the mind (Bhagat Kabir, Guru Granth Sahib, p.1105).

This illustrates that one must firstly have the qualities of a Saint in order to be a Soldier and face temporal battles. By putting saintly qualities and matters of *Dharam* first as a priority, politics becomes purified and spiritualised, instead of the politicisation of spirituality.

### **6.2.2 Issues arising with politics and power with the SGPC and the SAD in relation to the Sikh Gurdwaras Act, 1925.**

It is evident from the theological evaluation of politics and power from the Sikh Sacred Scriptures that there is an emphasis on the need for spirituality to be prioritised over politics and power and to guide it. The teachings from the Sikh Sacred Scriptures warn about the worthlessness, falsity, perishable, perpetual and insatiable nature of secular and political power. This in turn implies that attempts and efforts to gain and retain such secular and political power are futile unless first and foremost, God is remembered through *Naam*; and that such power should not be abused, but should be guided with religious values. The message inferred from this which can be applied to the SGPC, is that religious interests should take priority over political ones.

Despite the provisions the British Government had included in the Act to prevent the SAD gaining majority votes, the SAD has dominated the SGPC not only since the inception of the SGPC, but also since the Sikh Gurdwaras Act, 1925 came into force. The SAD has had an overwhelming majority since the first elections, and has continued to do

so. The majority party (the SAD), therefore, stakes its claim to be the exclusive spokesman for the Sikh community.

With its continued majority in the SGPC, the SAD has been wielding tremendous political influence and power among the Sikh masses, because as the group that is already in power, it has a majority in the elections, and continues to be in charge of Gurdwara administration through the Act.

The fact that the SGPC is an elected body of the Sikhs, also provides it with a strong political orientation. Political parties seek to control it so that through the instrumentality of this religious body it may be able to win over the Sikh masses. As a representative body of the Sikhs elected periodically on the basis of adult franchise, the democratic framework of its elections involves the active participation of different politico-religious parties in its electoral process including attempts by different political parties, groups or factions to establish their respective control over, or to destabilise the position of the controlling party, group or faction in the SGPC through the process of the Gurdwara elections. Its significance lies not only in its direct relevance to the control of

Gurdwara resources but also in its implied interconnections with the issues of legitimacy and representation for the winning party.

A continuous dominance of the SAD over the SGPC has not only reduced the SGPC to the status of a 'puppet' organisation of the SAD, but has created the misconception that both these organisations have a single identity. The SAD identity of the SGPC pervades almost all its structural and functional aspects particularly its structure and processes. Therefore, what appears to be a true representation of the Sikh community, has become stagnant as a premier organisation constituted from a particular section of the community.

The SAD not only gains unfair advantage over other contestants in the Gurdwara elections, but also a privileged position in the political sphere. The vast resources that the SGPC has for Gurdwara administration are also at the disposal of the SAD, leaving possibilities for their political exploitation open. Originally the SAD had followed the policies of the Central Sikh League, whose declared objective was to safeguard the constitutional and political interests of the Sikhs. After the Central Sikh League wound up in 1932, the SAD decided upon their

political objectives independently. However, the success of these objectives, which included the mobilisation of Sikhs for their causes, was largely dependent on the legitimacy provided to the SAD by the SGPC.

Thus, there is a logical correlation and sequence between the policies of the SAD and the SGPC demands. The rationale behind this is that the sectional demands of the SAD are thus transformed into the demands of the Sikhs as a whole through the platform of the SGPC. Most of the demands of the SGPC are in fact the demands of the SAD itself and the resolutions proposed by member of the SGPC not belonging to the SAD are generally not considered for adoption (Singh, Gobinder, 1986, p.265). The demands articulated as such, become more effective in mobilising the masses on the one hand and for pressurising the Government on the other (Singh, Gobinder, 1986, p.262).

The overlapping of identities and a close functional collaboration between the SGPC and the SAD, not only enables the SAD to utilise the resources of the SGPC for its religio-political activities, but also makes SAD a virtual spokesman of the SGPC for the articulation of its political

demands. This provokes a reaction in other political parties with Sikh membership to dislodge the SAD from its advantageous position in the SGPC, or to neutralise the SAD's political consequence from its control over the SGPC and to extend their own dominance on the SGPC, to draw similar advantages for themselves.

It is difficult for any party or faction of the Sikhs to acquire ascendancy in Indian national politics without first establishing its control in the SGPC. By virtue of its traditional control on the religious resources of the Sikh community through the SGPC and on account of certain political grievances of regional nature, the SAD has been demanding decentralisation of Congress authority at the State level. Gurdwara elections have thus had significant repercussions for Punjab politics, where, since Indian Independence (1947), the conflict between secular nationalism and communalism manifests itself. The SAD leaders argue that if Congress wins the Gurdwara elections, then the Gurdwaras would come under the control of the Government, thus undoing the work of the Gurdwara Reform Movement.

Since 1947 the SAD has improved its power prospects in the State and has, thus, found an added reason to aim for State autonomy. By laying additional emphasis on this demand it seeks to protect its rule from the possible interference of the Central Government. However, the SAD has generally been articulating the political demands in terms of religion, by claiming that it can develop its religion and culture unhindered by the Hindu dominated Congress regime. It has mostly been raising this demand from the religious platform of the SGPC with a view to securing the emotional involvement of the Sikh masses. The SAD justified its political utilisation of the Gurdwara platform on religious and minority grounds.

On the other hand, with a view to stabilising itself in power against the SAD dominance, but professing to promote national integration and to curb communalism in the State, the Congress Party has been trying to uproot the SAD from the SGPC. The strategies of the Congress, however, have ironically provided the SAD with fresh opportunities for raising the issue of Governmental interference in the religious affairs of the Sikhs and hence of a greater need for protecting its minority rights.

In this atmosphere of rigid communal loyalties, the SAD succeeds in securing a renewed mandate from the Sikh masses to control the SGPC. In the wake of each Gurdwara election, therefore, it reiterates its political, cultural and minority demands with greater legitimacy, basing its claims on the spokespersonship of the Sikh masses. This pattern of interaction repeats itself cyclically. Thus the power motives of the interested political parties and the indiscriminate handling of religious and minority issues at the Government level tend to sustain the SAD's dominance in the SGPC. The delegation of powers in different constituencies also has discrepancies and leads to double member constituencies through vested interests because the Executive Committee can sub-delegate its powers to one or two members. This leads to Executives exercising power in an arbitrary and dictatorial manner; and candidates being elected from their own parties, leading to further polarisation from the Sikh diaspora and power in fewer hands.

Gobinder Singh's study which analysed SGPC members recruited in 1965 for two terms and retiring in 1979, illustrated:

- That the members of the SGPC are mostly drawn from a relatively higher socio-economic stratum of the society.



- That these members being politically oriented and power motivated, tend to use the SGPC as a stepping-stone to higher political positions.
- That the power motivations of the SGPC members make them attach greater importance to the political linkages than to the religious ones.
- That the SGPC determines its goals in subservience to the interests of the dominant party in it and seeks to achieve them with the support of the latter.
- That the SGPC thereby cooperates with the political authorities when the same party is in power (the SAD) thus creating conflict situations when each of them is controlled by different political parties.
- That the political elite and parties try to control the SGPC, directly or through the instrumentality of the political regime, in order to strengthen their respective support bases by utilising its material and moral resources or to prevent the dominant party (the SAD) in this organisation from taking similar advantages for itself.

This summary of Gobinder Singh's findings, highlights that positions within the SGPC and decision-making structures of the SGPC are highly conducive for the fulfilment of political and power aspirations. Thus the religious infrastructure provided through the SGPC for Gurdwara management and administration, also lends itself as a model to permit the dominance of secular and political interests over religious and spiritual concerns.

Gobinder Singh also found that the SGPC members maintain intimate linkages with the Sikh masses on the one hand and with the political elite on the other. They develop a clientele among the people of their constituencies generally on political and developmental issues. Their success in Gurdwara elections, leads to advantages and opportunities for the success of their political careers. That the membership of the SGPC is a powerful factor in hastening the process of political recognition in SAD politics is apparent from the fact that almost all the Sikh Chief Ministers of the State in Gobinder Singh's study had been members of the SGPC at some stage of their political career. The same can also be applied to a large number of other Akali leaders and a few Congress Sikhs including ministers of State.

In 1944, s.51 of the Sikh Gurdwaras Act, 1925, was amended to state that the members of the SGPC Board shall hold office for 5 years (not 3) from the date of its constitution or until the constitution of a new SGPC Board, whichever is later. The section fixes the minimum tenure of members at 5 years. In the absence of any provision for dissolution of the SGPC Board, its members cannot be deprived of membership before five years, unless they are subject to a disqualification. Conversely however, no upper limit of tenure is prescribed either and they can continue to hold office until a new SGPC Board is constituted. The lack of provision for maximum tenure of the SGPC Board members creates an unending cycle of political leaders entrenched within the system. The Chief Khalsa Dewan also criticised the amendment to s.51 holding that:

If the majority is political minded and is entrenched for a long time in power, it may mould the religious susceptibilities of the Sikhs beyond repair (in Gandhi, 1993, 210).

In 1979 it was alleged that the ruling party was misusing the Governmental machinery for its ends in the religious elections and that

State apparatus was being used to pressurise the opposition parties to withdraw in favour of its own candidates. It was stated, that not the SAD, but the Punjab Government was fighting the elections against the opposition parties. It was further highlighted that the SAD candidates secured the withdrawals by offering memberships of various legislative and semi-Government bodies to the retiring candidates. The Government officers accompanying the SAD ministers, accepted the demands of the people in return for votes for the SAD candidates. It was reported that the funds were 'flowing in the opposite direction' with the SAD ministers using 'political money' to fight the religious elections (Singh, Gobinder, 1986, p.294). It was alleged that under the instructions of the Government, thousands of 'illegal' voters were registered for the SAD on payment of fees per voter. In addition to these electoral malpractices, there were also allegations of political intimidation. *The Statesman* Newspaper declared on 28<sup>th</sup> March, 1979, that an entirely religious election was being contested by the SAD on a political platform without any other party in the dispute (in Singh, Gobinder, 1986, p.294).

As the SGPC was originally constituted for Sikh religious purposes, it can be argued that it should therefore espouse religious values as opposed to political ones. However, this section highlights that the SGPC, although constituted as a religious organisation, has developed into one with largely political interests due to the dominance of the SAD members within it – something which the British administration had wanted to avoid. It also highlights that the SGPC's political interests take precedence over religious interests, which is contradictory to the original aims and objectives of the Sikh Gurdwaras Act, 1925; contradictory to the teachings of the Sikh *Dharam*; and therefore also not conducive to cultivating Sikh religious values within Gurdwara management in particular and thus within the Sikh community in general.

### **6.3 Criteria and selection process of religious leaders.**

The election system used for recruiting the SGPC is often cited as a justification of the SGPC and the SAD's legitimacy. The system of election exclusively by Sikh voters from numerous small electoral

constituencies provides it with authority to claim to represent the religious and political views of the Sikh community as a whole. This section now discusses this criteria and selection process of religious leaders with reference to the Sikh Gurdwaras Act, 1925, in more detail.

Even from the first drafts of the Sikh Gurdwaras Act, it was apparent that democratic principles were paramount in the considerations of the British Government. The Chief Secretary Mr. H. D. Craik had stated:

In a matter of this kind in which the feelings of the whole of a community are deeply stirred, the will of the majority must in the end prevail, no matter at what cost of interference with vested rights or with prescriptive rights to property. There is probably no-one in this House who is more loathe than myself to disturb vested interests or the rights in property, but I recognise that in this instance we are up against a situation where nothing also is possible and where, to put it bluntly, the minority must go to the wall (in Ahluwalia (ed.), 1985, pp.212-213).

The following statement of Hailey's reveals however, that the British Government felt there was a lack of alternatives to an election system for the selection process of the SGPC Board:

The Sikhs will not agree to legislation which does not recognise a central body of some kind...(thus) I am afraid that our attempts must be limited to giving local committees as strong a position as possible and minimising the sphere of activity of a central body...we shall insist that the central body must have a regular constitution under the statute with defined powers and a proper electorate (in Kapur, 1986, p.188).

Sections 45 and 46 of the Sikh Gurdwaras Act, 1925, prescribe the qualifications of elected and co-opted members of the SGPC Board respectively. Section 45 enumerates the persons who are not eligible for election as a member of the SGPC as follows:

In case a person is: of unsound mind; an undischarged insolvent; is a *Patit*; is a minister of a Notified Sikh Gurdwara other than the head minister of Darbar Sahib or any of the five Sikh *Takhats*; is a

paid servant of any Notified Sikh Gurdwara or of SGPC Board other than a member of the SGPC Board's executive committee; being a *Keshadhari* Sikh is not a *Amritdhari*; takes alcoholic drinks; not being a blind person cannot read and write *Gurmukhi*; is not registered on the electoral roll of any constituency; is less than twenty five years in age; he or she is not eligible for election as a member of the SGPC Board.

Even after being elected, nominated or co-opted to the SGPC Board, members could be removed from membership if they became subject to disabilities mentioned in section 45 or section 46 of the Act (quoted above).

There are two pieces of supplementary legislation to the Sikh Gurdwaras Act 1925, regarding the election system. The 'Sikh Gurdwaras Rules, 1925' was first published with the Punjab Government Home Department General Notification No. 4289-S dated 12<sup>th</sup> October, 1925. It was republished in 1965. The Sikh Gurdwara SGPC Board Election rules, 1959 were framed under s.146 of the Act (which sets out the power of the Government to make rules to carry out



the purposes of the Act) and were published with the Punjab Government Home Department on 16<sup>th</sup> July, 1959, detailing the procedures for elections.

Sections 149 – 161 (Chapter XIII added to the Act in 1954) list the various electoral offences and their punishments (fines / imprisonment) relating to the elections of the SGPC Board, Executive Committee and Committees of management. These include convening, holding or attending a public meeting on election day; causing or inciting disturbance at an election meeting; disclosing of secret information; actions furthering the prospects of a candidate or dissuading or influencing electorates by officials on duty during elections; exhibiting election notice or signs within 100 yards of a polling station; corruption, malpractice or fraud relating to the elections. Provisions of electoral offences in Chapter IXA of the Indian Penal Code are also applicable to Gurdwara elections which include: giving and taking bribery; interfering with free exercise of electoral right; threatening candidates; publishing false statements about candidates; incurring expenditure relating to elections without approval of the candidate; and failing to keep election accounts.

### **6.3.1 Criteria and selection process of religious leaders from a Sikh theological perspective.**

It can be seen from the previous section that the Sikh Gurdwaras Act, 1925 provided a criteria and selection process of religious leaders constituting the SGPC and the SAD. This section establishes the Sikh theological context of the criteria and selection process of religious leaders in order to theologically evaluate the issues arising with the criteria and selection process of the SGPC and the SAD in relation to the Act.

The above highlights the criteria and selection process of religious leaders within the Sikh Gurdwaras Act, 1925. However, it is clear that this legally constructed and secular method contradicts the teachings of the Sikh Sacred Scriptures, as highlighted in the following theological evaluation.

In particular, the Sikh Sacred Scriptures prescribe that someone in a position of such leadership should be: wise through prayer; humble through service; selfless; honest and benevolent; wealthy in Divine

capital; compassionate and forgiving; and embodying and practicing virtues and values.

The Sikh Sacred Scriptures state that the type of knowledge gained through wisdom is 'true' knowledge:

*Sikhi sikhiaa gur veechaar. Nadharee karam laghaaeae paar.*

By pondering, reflecting upon, and applying the teaching of the Gurus, one can acquire True knowledge. When God bestows this grace, His servants are saved (Guru Nanak, Guru Granth Sahib, p.465).

Several quotations explain that the only means of gaining such wisdom is through God's grace and the Guru:

*Giaan n galeeee dtoodteeai kathhanaa kararraa saar.*

*Karam milai thaa paaeeai hor hikamath hukam khuaar.*

Wisdom cannot be obtained through idle talk or shallow words, it is unexplainable. Wisdom is only received through God's grace –

without this, all other efforts and means are useless (Guru Nanak Dev, Guru Granth Sahib, p.465).

*Giaan giaan kathhai sabh koe. Kathh kathh baadh karae dhukh hoe.*

*Kathh kehanai thae rehai n koe. Bin ras raathae mukath n hoe.*

Everyone talks about spiritual wisdom and spiritual knowledge.

Talking, talking, they argue, and suffer. No one can stop talking and discussing it. Without being imbued with the subtle essence, there is no liberation. Spiritual wisdom and meditation all come from the Guru (Guru Nanak Dev, Guru Granth Sahib, p.831).

The following quotations emphasise the importance of such spiritual wisdom and the breadth of vision that this spiritual wisdom can bring for leadership by illustrating that this wisdom obtained from the Guru is unparalleled:

*Gur ko jaan n jaanee kiai this chaj achaar.*

Some are very knowledgeable, but if they do not know the Guru, then their lives are useless (Guru Nanak Dev, Guru Granth Sahib, p.19).

*Gur kee math thoo(n) laehi eiaanae.*

*Bhagath binaa bahu ddoobae siaanae.*

Take the Guru's advice, you ignorant fool; without devotion, even the clever have drowned (Guru Arjan Dev, Guru Granth Sahib, p.288).

*Baajh Guru gubaar hai bin sabadhai boojh n paae.*

*Guramathee paragaas hoe sach rehai liv laae.*

Without the Guru, there is only pitch darkness (spiritual ignorance); without the *Shabad* (the Guru's Divine Word), spiritual understanding is not obtained. Through the Guru's teachings, you shall be enlightened (Guru Nanak Dev, Guru Granth Sahib, p.55).

*Cha(n)dh sooraj lakh chaananae thil n pujan sathigur mathee.*

The light of tens of thousands of moons and suns cannot become equal to an iota of the wisdom of the true Guru... Millions of types of knowledge and meditations are not equal to even a particle of the knowledge of the wisdom of the Guru (Bhai Gurdas, Vaar 40, Pauri 14).

Prayer and contemplation of the teachings within the Sikh Sacred Scriptures (referred to as 'True knowledge') is also advocated for cultivating leaders that can help others:

*Vidhiala veechaaree thaa(n) paroupakaaree.*

By contemplating and reflecting upon True knowledge – you will become someone that is altruistic (Guru Nanak Dev, Guru Granth Sahib, p.356).

In summary, the teachings within the Sikh Sacred Scriptures state that: spiritual wisdom is a result of God's grace and is gained through the Guru. According to the Sikh Sacred Scriptures, this wisdom and enlightenment gained through the Guru and God's Name is incomparable to academic and worldly knowledge and is knowledge that will transform a person into being altruistic and into a person who will therefore have the disposition to act selflessly and do things for others.

The Sikh Sacred Scriptures state that it is only through spiritual wisdom that one is able to make decisions for leadership. Wisdom can make individuals into leaders so that they are able to serve and to act righteously. The correlation between spiritual wisdom and leadership can be seen in the following quotations:

*Soee sugiaanaa so paradhhaanaa jo prabh apanaakeethaa.*

He is the man of spiritual wisdom and he is the leader, whom God has made His own (Guru Arjan Dev, Guru Granth Sahib, p.453).

*Kabeeraa jehaa giaan theh dharam.*

Where there is spiritual wisdom, there is righteousness (Bhagat Kabeer, Guru Granth Sahib, p.1372).

It is inferred from the Sikh Sacred Scriptures that one can only obtain spiritual wisdom through contemplation of God's Name (*Naam*) and *Naam* is only obtained through the *Amrit Sanchaar*. This deduction suggests that it would be beneficial to adopt a criteria specifying leaders for religious purposes to be *Amritdhari*.

Another quality stipulated for a leader in the Sikh Sacred Scriptures is that of humility through service. Service as a means of relinquishing the ego and becoming humble is seen as an essential quality for a Sikh, and particularly for those who intend to lead or take positions of responsibility. Paradoxically, even though doing service is usually equated with being a servant, it in fact enables one to do the opposite and become a leader:

*Gur saevaa paradhhaan saevak soor hai.*

The valiant servant becomes leader in doing service to the Guru  
(Bhai Gurdas, Vaar 3, Pauri 10).

It is also explained that through service, one obtains eternal peace and meets God, but only if it is done with sincerity and humility:

*Chaakar lagai chaakaree naalae gaarab vaadh.*

*Galaa karae ghanaereeeaa khasam n paaee saadh.*

*Aap gavaae saevaa karae thaa kishh paaee maan.*

*Nanak jis no lagaa this milai lagaa so paravaan.*



If a servant performs service, while being vain and argumentative, he may talk as much as he wants, but he shall not be pleasing to his Master. But if he eliminates his self-conceit and then performs service, he shall be honoured (Guru Angad Dev, Guru Granth Sahib, p.474).

*Mathaa masoorath avar siaanap jan ko kashhoo naaeiou.*

The humble servant of God has no plans, politics or other clever tricks (Guru Arjan Dev, Guru Granth Sahib, p.498).

*Sathigur kee saevaa safal hai jae ko karae chith laae.*

Service to the True Guru is only fruitful if one does it with commitment and a sincere mind (Guru Amar Das, Guru Granth Sahib, p.552).

It is those who are most humble, that Guru Nanak Dev seeks the company of:

*Neechaa a(n)dhar neech jaath neechee hoo ath neech.*

*Nanak thin kai sa(n)g saathh vaddiaa sio kiaa rees.*

Nanak seeks the company of the lowest of the low class, the very lowest of the low. Why should he try to compete with the great?  
(Guru Nanak Dev, Guru Granth Sahib, p.15).

Again, it is also emphasised in the Sikh Sacred Scriptures, that those who are the most humble are made into true leaders:

*Gareeb nivaaj karae prabh meerae.*

God cherishes the poor, and makes them into rulers (Guru Arjan Dev, Guru Granth Sahib, p.1071).

Similarly Bhai Gurdas explains that one who looks to be 'winning' (one who appears to be a leader with a great following in this world), actually loses in God's favour; but that one who serves and therefore appears to be 'losing' because they are doing work that is humble, actually paradoxically becomes a leader through this humility and others subsequently follow them:

*Jin haarai haarai jinai pairaa outhae sees dhharaahaa.*

He who looks to be winning here loses in God's court and likewise the loser here wins there. All bow at his feet. The individual first falls at the feet (of the Guru) and then he makes all to fall at his feet (Bhai Gurdas, Vaar 26, Pauri 9).

There are many quotations in the Sikh Sacred Scriptures illustrating the paradoxical spiritual 'greatness' of humility. They stipulate that one must serve with humility and not seek material rewards:

*Kar kirapaa jis kai hiradhai gareebae basaavai.*

*Nanak eehaa mukath aagai sukh paavai.*

One whose heart is mercifully blessed with abiding humility, Oh Nanak, is liberated here and also obtains peace hereafter (Guru Arjan Dev, Guru Granth Sahib, p.278).

*Raanaa ra(n)k baraabaree pairee pavanaa jag varathaeiaa.*

*Oulattaa khael pira(n)m dhaa pairaa(n) oufar sees nivaaeiaa.*

Equating the poor with the prince, he (Guru Nanak Dev) spread the etiquette of humbly touching the feet. Inverse is the game of

the beloved; he got the egotists to bow to his feet (Bhai Gurdas, Vaar 1, Pauri 23).

*Loubaalee dharagaah vich garab gunaahee maan nimaanai.*

*Gurmukh ho(n)adhae thaana nithaanai.*

In God's court, the proud ones are called sinners and the humble ones get respect and regards. That is why the *Gurmukhs* (those who live according to the teachings of the Gurus); although they are powerful, behave as the meek ones (Bhai Gurdas, Vaar 25, Pauri 16).

The quality of humility is synonymous to surrendering one's ego to the Guru and to God:

*Sathigur saranee jaae sees nivaaeiaa.*

*Gur charanee chith laae mathhaa laaeiaa.*

*Guramath ridhai vasaae aap gavaaeiaa.*

He is true Sikh who surrenders before the Guru and bows his head; who puts his mind and forehead on the feet of the Guru;

who holding dear to his heart the teachings of the Guru expels ego from himself (Bhai Gurdas, Vaar 3, Pauri 20).

Again, the results of this are paradoxical:

*Sach raas reharaas dhae pairee(n) pai jag paireepaaeiaa.*

The Sikh with his capital of devotion falls at the feet of Guru and the whole world bows at his feet (Bhai Gurdas, Vaar 11, Pauri 3).

In the Sikh Sacred Scriptures, leadership is therefore inextricably linked to service and humility. The following quotations discuss how those who serve as leaders are to be selfless; altruistic; humble; wise; committed and sincere; and to restrain from arguments, and political manoeuvres. The values of forgiveness, compassion, and the need to refrain from blaming others are also qualities that the Sikh Sacred Scriptures state are required of a Sikh and embodied by leaders.

The level of forgiveness and compassion that a Sikh is required to exercise is extraordinary and it is explained that when forgiveness takes place, God Himself is present:

*Jehaa khimaa theh aap.*

Where there is forgiveness, there is God Himself (Bhagat Kabeer, Guru Granth Sahib, p.1372).

One is also required to forgive unconditionally and wholeheartedly, even if the fault was not their own:

*Fareedhaa jo thai maaran mukheaaa(n) thinhaa n maarae ghu(n)m.*

*Aapanarrai ghar jaaeeai pair thinhaa dhae chu(n)m.*

Fareed, do not turn around and strike those who strike you with their fists. Kiss their feet, and return to your own home (Bhagat Sheikh Fareed, Guru Granth Sahib, p.1378).

*Fareedhaa burae dhaa bhalaa kar gusaa man n hadtaae.*

*Dhaehee rog n lagee palai sabh kishh paae.*

Fareed, answer evil with goodness; do not fill your mind with anger. (Bhagat Sheikh Fareed, Guru Granth Sahib, p.1381).

*Bado shatar jo hohi thaj shasthran payin parae.*

*Naek n kar chit roh badae n badh tha ko karat.*

If a greater enemy, relinquishing his weapons, falls at your feet, then forsaking all the anger from the mind, the great people do not kill him (Guru Gobind Singh, Sri Dasam Granth, p.1026).

In fact the Sikh Sacred Scriptures teach that there should not even be a concept of an 'enemy' in the first place:

*Ham nehee cha(n)gae buraa nehee koe.*

I am not good; no one is bad (Guru Nanak Dev, Guru Granth Sahib, p.728).

*Naa ko bairee nehee bigaanaa sagal sa(n)g ham ko ban aae.*

No-one is my enemy and no-one is a stranger to me. Everyone alike is my friend (Guru Arjan Dev, Guru Granth Sahib, p.1299).

A Sikh is required not to see fault in others or blame others, but to recognise the faults and weaknesses within themselves:

*Dhadhai dhos n dhaeoo kisai dhos kara(n)maa aapaniaa.*

Do not blame anyone else, blame instead your own actions (Guru Nanak Dev, Guru Granth Sahib, p.433).

*Ni(n)dhaa bhalee kisai kee naahee.*

It is not good to slander anyone (Guru Amar Das, Guru Granth Sahib, p.755).

*Dhos n dheejai kaahoo log.*

*Jo kamaavan soee bhog.*

*Aapan karam aapae hee ba(n)dhh.*

Don't blame others, Oh people; as you plant, so shall you harvest.  
By your actions, you have bound yourself (Guru Arjan Dev, Guru Granth Sahib, p.888).

Guru Nanak Dev uses the analogy of the '*janaeoo*' or traditional sacred thread of the Hindus to explain that the person wearing it should embody the qualities of compassion, contentment, modesty and truth within:



*Dhaeiaa kapaah sa(n)thokh sooth jath ga(n)dtee sath vat.*

*Eaehu janaeoo jeea kaa hee th paaddae ghath.*

Make compassion the cotton, contentment the thread, modesty the knot, and truth the twist. This is the sacred thread of the soul (Guru Nanak Dev, Guru Granth Sahib, p.471).

The need for leaders to practice and not just theorise these religious qualities are outlined in the following quotations from the Sikh Sacred Scriptures which use the analogy of food. It can be interpreted that this analogy is used to emphasise that food nourishes the body with physical nutrients in the same way that souls also need to be nourished with spiritual qualities so that they are embodied within and practiced by that individual:

*Bhaa(n)ddaa dhhoie bais dhhoop dhaevahu tho dhoo dhhai ko jaavahu.*

*Dhoo dh karam fun surath samaaein hoe niraas jamaavahu.*

*Japahu th eaeko naamaa.*

*Avar niraafal kaamaa.*

Wash the vessel, sit down and anoint it with fragrance; then, go out and get the milk. Add the rennet of clear consciousness of the

milk of good deeds, and then, free of desire, let it curdle. Chant God's Name (*Naam*). All other actions are fruitless (Guru Nanak Dev, Guru Granth Sahib, p.728).

*Jath sath chaaval dhaeiaa kanak kar praapath paathee dhhaan.*

*Dhoodhh karam sa(n)thokh gheeo kar aisaa maa(n)go dhaan.*

*Khimaa dhheeraj kar goo lavaeree sehajae bashharaa kheer peeai.*

*Sifath saram kaa kaparraa maa(n)go har gun naanak ravath rehai.*

Please bless me with the rice of truth and self-restraint, the wheat of compassion and the leaf-plate of meditation. Bless me with the milk of good deeds and the ghee (clarified butter), of compassion. Such are the gifts I beg of You, God. Let forgiveness and patience be the cows and let the calf of my mind intuitively drink this milk. I beg for the clothes of modesty and God's Praise; Nanak chants the Glorious Praises of God (Guru Nanak Dev, Guru Granth Sahib, p.1329).

*Thhaal vich thi(n)n vasathoo peeou sath sa(n)thokh veechaaro.*

*Amrit naam t(h)aakur kaa paeiou jis kaa sabhas adhhaaro.*

*Jae ko khaavai jae ko bhu(n)chai this kaa hoe oudhhaaro.*

Upon this plate, three things have been placed: Truth, Contentment and Contemplation. The Ambrosial Nectar of the *Naam* – the Name of God our Master, has been placed upon it as well; it is the support of all. One who eats it and enjoys it shall be saved (Guru Arjan Dev, Guru Granth Sahib, p.1429).

The message in the Sikh Sacred Scriptures is that one should embody these values within the fabric of their being to live each and every moment truthfully and not be hypocritical:

*Sachahu ourai sabh ko oupar sach aachaar.*

Truth is higher than everything, but higher still is truthful living (Guru Nanak Dev, Guru Granth Sahib, p.62).

*Gurmukh saachee kaar kamaae.*

The *Gurmukh* (one who is walking towards the Guru) practices truth in action (Guru Nanak Dev, Guru Granth Sahib, p.942).

The ways in which various spiritual qualities should be employed are also outlined through various additional analogies in the Sikh Sacred

Scriptures. The qualities referred to amongst many are those of self-control; freedom from desire; restraint; modesty and continence; patience and understanding; spiritual wisdom and divine knowledge; love and compassion; contemplation of *Naam* and communion with God; contentment; truth and good deeds; and calmness.

A verse written by Guru Gobind Singh implies that it is unnecessary to go through ritual or seclusion from the world. Instead to embody qualities such as continence, remembrance of God, righteous living, compassion, forbearance, calmness and contentment whilst living in the world and performing secular duties and not by detaching from it:

*Rae man aiso kar sa(n)niaasaa.*

*Ban sae sadhan sabhai kar samajhahu man hee maahi oudhaasaa.*

*Jath kee jattaa jog ko maaajan naem kae nakhan badtaaou.*

*Giaan Guru aatham oupadhaesahu naam bibhooth lagaau.*

*Alap ahaar sulaap see ni(n)dhraa dhayaa shhimaa than preeth.*

*Seel sa(n)thokh sadhaa nirabaahibo haivabo thrigun atheeth.*

*Kaam koradhh ha(n)kaar lobh hat(h) moh n man so layaavai.*

*Thab hee aatham thath ko dharasae param purakh keh paavai.*

Oh man, lose your shackles thus: treat your home as a forest retreat and have the heart of a hermit, make continence your matted hair, communion with God your ritual bath and righteous living your ritual long nails. Make divine knowledge your centre and smear your body with ashes of God's Name (*Naam*). Eat little and sleep little; love the practice of compassion and forbearance. Be calm and contented and you will be in control of three states (desire; ignorance and laziness; good living). Keep lust, anger, pride, greed, obstinacy and worldly attachments at bay. Thus will you see your own essence and reach the highest level (Guru Gobind Singh, Dasam Granth, p.709).

Guru Nanak gives an analogy of a goldsmith's furnace whereby self-control, understanding, love and *Naam* are enlisted as the tools:

*Jath paahaaraa dhheeraj suniaar.*

*Aharan math vaedh hathheear.*

*Bho khalaa agan thap thaao.*

*Bhaa(n)ddaa bhaao a(n)mrith thith dtaal.*

*Gharreeai sabadh sachee ttakasaal.*

Let self-control be the furnace, and patience the goldsmith. Let understanding be the anvil, and spiritual wisdom the tools. With the fear of God as the bellows, fan the flames of the body's inner heat. In the crucible of love, melt the nectar of the God's Name (*Naam*), and mint the coin of His Word (Guru Nanak Dev, Guru Granth Sahib, p.8).

It can be interpreted from the Sikh Sacred Scriptures that once spiritual qualities have been cultivated, one ceases to lead a self-centred life and proceeds to lead a God-centred life, which produces spiritual endeavours. This can be explained by the constant realisation of God's presence through practicing selfless service (which makes one humble) and prayer (which makes one wise). It is prescribed that in order to attain the discipline of the *Rahit Maryada* which prepares for the cultivation of prayer and service and in order to become someone who embodies spiritual values; that dedication, effort, love, God's assistance, and the keeping holy company is also needed.

The Sikh Sacred Scriptures also imply that one must be dedicated and put in their own earnest effort:

*Oudham karath hovai man niramal naachai aap nivaarae.*

Making the effort, the mind becomes pure; in this manner, the self (ego) is silenced (Guru Arjan Dev, Guru Granth Sahib, p.381).

*Aapan hathhee aapanaa aapae hee kaaj savaareeai.*

With our own hands, let us resolve our own affairs (Guru Nanak Dev, Guru Granth Sahib, p.474).

Through making this effort, the results are manifold as it is explained that one step by a devotee towards the Guru on the Guru's path is rewarded with millions of steps from the Guru towards them:

*Charan saran gur eaek paiddaa jaae chala,*

*sath gur kott paiddaa aagae hoe laeth hai.*

When a Sikh takes one step towards the Guru, the Guru takes millions towards him (Bhai Gurdas, Kabit no. 111).

Another condition placed is that all these spiritual endeavours must be done with love:

*Raam naam sa(n)g man nehee haethaa.*

*Jo kashh keeno sooo anaethaa.*

If he does not enshrine love for the God's Name (*Naam*) within his heart, then everything he does is transitory (Guru Arjan Dev, Guru Granth Sahib, p.253).

*Saach keho(n) sun laehu sabhai jin paeram keeou thin hee prabh paaeiou.*

I speak the Truth, all should turn their ears towards it: he, who is absorbed in True Love, will realise God (Guru Gobind Singh, Sri Dasam Granth, p.42).

*Sangat*, or the company of the holy, through the congregation of those who practice spirituality, is also considered crucial for the attainment of these spiritual values:

*Gur chaelaa paravaan guramukh jaaneeai...*

*A(n)tharijaamee jaan haeth pashhaaneeai.*

The disciple who obeys the commands of the Guru is called *Gurmukh*...For him the holy congregation is the basis of his



acquaintance with the omniscient God (Bhai Gurdas, Vaar 3, Pauri 3).

*Pasoo paraethahu(n) dhaev kar saadhhasa(n)gath gur sabadh kamaaeae.*

The holy congregation transforming beasts and ghosts into gods, causes them to realise the Divine Word of the Guru (Bhai Gurdas, Vaar 37, Pauri 28).

Furthermore, one must request God's assistance in their supplication in order to progress on this spiritual path:

*Sathigur agai aradhaas kar saajan dhaee milaae.*

Offer your most sincere prayers to the True Guru, so that He may unite you with your Best Friend (God), (Guru Nanak Dev, Guru Granth Sahib, p.55).

The model laid down by the Gurus for choosing religious leaders embodying all these spiritual qualities (as seen in the succession of Guruship), was selection through merit, and the purpose for taking on leadership was an answer to a calling for performing selfless service.

The positions of Guruship were given for life as a vocation and the next successor was chosen by the previous leader. The Guruship was passed on by the Gurus themselves through the method of selection in order to determine and continue the religious leadership for Sikhs, thereby providing continuity and consistency.

The following quotations re-assert this model of selection by giving the example of Guru Nanak Dev choosing Bhai Lehna<sup>32</sup> as the successive Guru before passing on from this world:

*Nanak raaj chalaeeiaa sach kott sathaanee neev dhai.*

*Lehanae dhharioun shhath sir kar sifathee a(n)mrith peevadhahi.*

*Math gur aatham dhaev dheer kharrag jor paraakue jee dhai.*

*Gur chaelae reharaas keeee naanak salaamath thheevadhahi.*

*Sehi ttikaa dhithos jeevadhahi.*

Nanak established the kingdom (of the Sikh *Dharam*); he built the fortress of Truth on the strongest foundations. He installed the royal canopy (of Guruship) over Lehna's head (Guru Angad

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<sup>32</sup> Lehna is the name Guru Angad Dev was known by before he became Guru; Angad literally means 'limb' and can be inferred as meaning the 'limb' of Guru Nanak Dev when the Guruship was transferred. It signifies that although the body was changing, the soul of Guru Nanak Dev was the same throughout the ten Guruships and now manifest in Guru Granth Sahib.

Dev's name before he became Guru); chanting God's praises, he drank in the Ambrosial Nectar (*Amrit*). The Guru (Nanak) blessed Lehna with the almighty sword of spiritual power (possessing heroism, prowess, courage and valour) to illuminate his soul. The Guru (Nanak) bowed down to his disciple (Lehna) and anointed him as the Guru while in his (Nanak's) own lifetime (Bards Satta and Balwand, Guru Granth Sahib, p.966).

*Thhaapiaa lehinaa jhavidhae guriaae sir shhathr firaaeiaa.*

During his lifetime he (Guru Nanak) waved the canopy of Guruship on the head of Lehna (Guru Angad) and merged his own light into him (Bhai Gurdas, Vaar 1, Pauri 45).

The successor earned their role and was selected on the basis of their track record of earnest and devoted sacrifice through service; not through votes or election. This can particularly be seen in the following quotations from the Sikh Sacred Scriptures which state that the reason Guru Nanak did not pass on the Guruship to any of his sons was because they did not pass the spiritual tests:

*Dhae gunaa sath bhain bharaav hai paara(n)gath dhaan parreevadhai...*

*Lehanae dhe faeraaeai naanaka dhohee khatteeai.*

Only the virtuous alone, who possess angelic qualities are true brothers and sisters....Nanak proclaimed Lehna's succession - he earned it (Bards Satta and Balwand, Guru Granth Sahib, p.966).

*Sach j gur furamaaeiaa kio eaedhoo bolahu hatteeai.*

*Puthree koul n paaliou kar peerahu ka(n)nh muratteeai.*

*Dhil khottai aakee firanih ba(n)nih bhaar ouchaeinsh shhatteeai.*

*Jin aakhee soe karae jin keethee thinai thhatteeai.*

*Koun haarae kin ouvatteeai.*

*Jin keethee so ma(n)nana...*

*Sikhaa(n) puthraa(n) ghokh kai sabh outhath vaekhahu j kioun.*

*Jaa(n) sudhhos thaa(n) Lehna ttikioun.*

The Guru gave the True Command; why should we hesitate to proclaim this? His sons did not obey his word; they turned their backs on him as Guru. These evil-hearted ones became rebellious; they carry loads of sin on their backs. Whatever the Guru said, Lehna did, and so he was installed on the throne. Who has lost, and who has won?...He who did the work, is

accepted as Guru...Guru Nanak tested his Sikhs and his sons, and everyone saw what happened. When Lehna alone was found to be pure, then he was set on the throne (Bards Satta and Balwand, Guru Granth Sahib, p.967).

The concept of selection of religious leaders also relates to the paradoxical results in spirituality, which are likened to the analogy of causing the River Ganges to flow in the opposite direction, because the disciple became the leader due to his obedience and service:

*Oulattee ga(n)g vehaaeeoun gur Angad sir oufar dhhaaraa.*

*Putharee koul n paaliaa man khottae aakee nasiaaraa/*

He (Nanak) made the Ganges flow in opposite direction because he chose Angad for heading the people (in preference to his sons).

The sons did not obey the commands and their minds turned hostile and unstable (Bhai Gurdas, Vaar 1, Pauri 38).

*Gur chaelae reharaas alakh abhaeo hai.*

*Gur chaelae saabaas naanak dhaeo hai...*

*Veeh eikeeh abhiaas gur sikh dhaeo hai.*

The ways of the Guru and the disciple are mysterious and imperceptible. Guru (Nanak) and disciple (Angad) both are blessed (because both have merged into each other)...The Guru and disciple have now attained the ratio of twenty and twenty-one (the disciple has gone ahead of the Guru), (Bhai Gurdas, Vaar 3, Pauri 2).

Bhai Gurdas explains that Lehna had the qualities of love for his Guru, truth, contentment, compassion, faith, wisdom, peace, and that he had shed lust, anger, opposition and repudiated greed, infatuation and ego, thereby making him worthy of carrying on the Guruship. It can therefore be interpreted that such qualities are desirable for religious leaders within the Sikh *Dharam* to practice and embody, and it is these qualities which ought to be used as a selection criteria for such positions:

*Paaras hoaa paarasahu sathigur parachae sathigur kehanaa.*

*Cha(n)dhan hoeiaa cha(n)dhanahu gur oupadhaes rahith vich rehanaa.*

*Joth samaanee joth vich guramath sukh dhuramath dhukh dhehanaa...*

*Sach samaanaa sach vich gaaddee raahu saadhhasa(n)g vehanaa.*

*Baabaanai ghar chaanan Lehna.*

Meeting *Paras* (the 'philosopher's stone' referring to Guru Nanak Dev's transforming power) Guru Angad became *Paras* himself and because of his love for the Guru he himself became called the true Guru. Living according to the preachings and code of conduct laid down by the Guru, he became sandalwood by meeting the sandalwood (Guru Nanak Dev). The light immersed in the light; the delight of the wisdom of Guru was attained and the sufferings of evil mindedness got burnt and wiped out...The truth has merged into the truth. In fact Lehna became the light of Guru Nanak Dev's house (of the Sikhs), (Bhai Gurdas, Vaar 24, Pauri 6).

*Sabadhai sabadh milaaeiaa guramukh agharr gharraaeae gehanaa.*

*Bhaae bhagath bhai chalanaa aap ganaae n khalehal khehanaa.*

*Dheen dhunee dhe saahibee guramukh gos naseenee behanaa...*

*Sath sa(n)thokh dhaeiaa dhharam arathh veechaar sehaj ghar ghehanaa.*

*Kaam krodhh virodhh shhadd lobh mohu aha(n)kaarahu thehanaa.*

*Puth saputh babaanae Lehna.*

*Gurmukh* (Lehna, the one walking on the Guru's path) attuning himself to the Divine Word of the *Shabad* (the Guru's Word) has chiselled his mind to make it like an intricate ornament. He has disciplined himself in the art of fearful yet loving devotion and losing the sense of ego has saved himself from all sorts of disagreements. Achieving mastery over spirituality as well as secularity, the *Gurmukh* (Angad, the one walking the path of the Guru) has resided exclusively...Adopting truth, contentment, compassion, *Dharam*, spiritual richness and discriminatory wisdom he has made peace his abode. Shedding lust, anger and opposition he has repudiated greed, infatuation and ego. Such a worthy son Lehna (Angad) is born in the family of Baba (Guru Nanak Dev), (Bhai Gurdas, Vaar 24, Pauri 7).

Even Guru Nanak and Guru Gobind Singh both humbly reveal in the Sikh Sacred Scriptures that their spiritual leadership through Guruship was in fact selected by God and was an opportunity created for them to come into this world to perform service:



*Ho dtaadtee vaekaar kaarai laaeiaa.*

I (Guru Nanak) was a worthless bard, out of work, when God blessed me and took me into His service (Guru Nanak Dev, Guru Granth Sahib, p.150).

*Thaath math mur alakh aradha.*

*Bahu bidh jog sadhana sadha.*

*Thin jo karee alakh kee sewa.*

*Tha thae bhae prasan gurdeva.*

*Thin prabh jab aiyis muh dheeya.*

*Thab ham janam kaloo meh leeya.*

My parents (Guru Gobind Singh speaking about his father Guru Tegh Bahadur and mother Mata Gujri) also meditated for the union with the Incomprehensible God and performed many types of disciplines for union. The service that they rendered the Incomprehensible God, caused the pleasure of the supreme Guru (God). When God ordered, I was born in this iron age (Guru Gobind Singh, Sri Dasam Granth, p.132).

*Chith na bhaiyo hamaro aavan keh.*

*Chubee rahee saruth prabh charnan meh.*

*Jiyo tiyo prabh ham ko samjaiyo.*

*Im keh kae ih lok pataiyo...*

*Meh apna suth tohi nivaja.*

*Panth prachur karbae kaho saja.*

*Jahi taha thae dharam chalaе.*

*Kabudh karan thae lok hataiy.*

I had no desire to come, because I was totally absorbed in devotion for the Holy feet of God. But God made me understand His Will and sent me in this world with the following words.... "I have adopted you as my son and hath created you for the propagation of the path (for the *Panth* – the Sikh community). Go forth to spread *Dharam* and cause people to retrace their steps from evil actions" (Guru Gobind Singh, Sri Dasam Granth, p.136).

*Mo ka dhaas thavan kaa jaano.*

*Yaa mai bhaedh n ra(n)ch pashhaano.*

*Mai ha param purakh ko dhaasaa.*

*Dhaekhan aayo jagath thamaasaa.*

Consider me (Guru Gobind Singh) as His (God's) servant and do not think of any difference between me and God. I am the servant of the supreme *Pursha* (the supreme soul - God) and have come to see the drama of the world (Guru Gobind Singh, Sri Dasam Granth, p.137).

Selfless service performed as a disciple was also stated as the merit for Guru Ram Das's selection as Guru:

*Jin sabadh kamaae param padh paaeiou saevaa karath n shhoddiau paas.*

*Thaa thae gouhar gyaan pragatt oujeeaaro dhukh dharidhr a(n)dhhyaar ko naas.*

Living God's Word, he (Guru Ram Das) attained the supreme status; while performing selfless service, he did not leave the side of Guru Amar Das. From that service, the light from the jewel of spiritual wisdom shines forth, radiant and bright; it has destroyed pain, poverty and darkness (Bhatt Bal, Guru Granth Sahib, p.1405).

When the Guruship became hereditary, it is noted that it was still only passed onto the most worthy candidate:

*Fir aae ghar arajanae puth sa(n)saaree Guru kehaavai.*

*Jaan n dhaesaa(n) sodteeou horas ajar n jariaa jaavai.*

*Ghar hee kee vathh gharae rehaavai.*

Now the Guruship entered the house of Arjan (Dev) who, to say was the son, but, he proved through his good deeds to be worthy of the Guruship. This Guruship would not go beyond Sodhis because none else can bear this unbearable weight (Bhai Gurdas, Vaar 1, Pauri 47).

Although a direct parallel cannot be drawn between the Gurus and subsequent Sikh leaders, as the Gurus were the founders of the Sikh *Dharam*, from the results of the theological evaluation, it can nevertheless be deduced that the inclusion of elections in the Sikh Gurdwaras Act, 1925 is a contradiction to the spiritual model of selection for religious leadership. However, the method used for choosing religious leaders is a complex one because, as highlighted by Nesbitt (2005), controversial issues precipitate acrimonious disputes

about where ultimate authority in the *Panth* resides and the processes for reaching decisions – and Sikhs need both to know that procedural matters can be resolved responsibly and to whom they can turn for spiritual and moral guidance (p.129). McLeod suggests that there is no other option for providing the authority to make such decisions in the *Panth* other than through the SGPC for the very reason that it *is* democratically elected:

The SGPC possesses the authority to make such decisions. Democratically elected by adult Sikhs living in the Punjab and neighbouring districts the SGPC stands forth as the manifest expression of the *Sarbat Khalsa* and as such it holds the Guru-given right to speak with authority on all matters of *Panthic* concern (McLeod, 1989a, p.76).

There is no easy resolution to determining the correct method of selection of religious leaders, namely for the SGPC and the SAD, but whatever the selection process, the criteria stipulated by the Sikh Sacred Scriptures as determined by the theological evaluation, requires to be fulfilled.

### 6.3.2 Issues arising with the criteria and selection process of the SGPC and the SAD in relation to the Sikh Gurdwaras Act, 1925.

Fazl-i-Hussain when commenting on the *Sikh Gurdwaras and Shrines Bill, 1925* had stated his reservations about the criteria and selection process of the SGPC which had been developed:

Personally I will frankly state - I say personally and individually - that the principle of *Panthic* control as such or centralised control over places of worship as distinguished from local control of the people who are votaries of a particular shrine does not appeal to me. I admire democratic institutions and I would give anything to democratise my political institutions, but where the liberty of conscience and of public worship of a few people is concerned, I would not sacrifice it for any unity that one may hanker after. There again, I say, these are absolutely my personal and individual opinions, but in the matter of Gurdwara reform, I welcome gladly the measure which enunciates the theory of *Panthic* control as the expression of the considered opinion of the Sikh community and in a matter of principle like this, I have not

the slightest doubt that the Select Committee will not care to interfere in any way (in Ahluwalia (ed.), 1985, p.219).

The long-term results of inclusion of the election system within the Act, were however somewhat prophetically stated by Hailey:

Why delay the Bill and let the Government get the blame? Give it to them and also their Gurdwaras. They will then quarrel among themselves. The Government will be free to do something else (in Singh, Ganda, 1965, p.131).

Initially, despite the frameworks within the Sikh Gurdwaras Act, 1925, the system of recruitment to the different offices and Gurdwaras in the control of the SGPC as well as of the local committees was found to be arbitrary and unsatisfactory. In most of the local committees, no rules and regulations of recruitment had been framed. The Khalsa Youth Conference in its meeting of 20<sup>th</sup> January, 1935, demanded an inquiry into the confusion on the issue of recruitment. The conference advocated the setting up of a 'Central Gurdwara Service SGPC Board' to fix qualification of different categories of employees and also to lay

down the procedure of recruitment and the service conditions (Gandhi, 1993, p.192).

Within the provisions of the Sikh Gurdwaras Act, 1925, the Government still has scope to conduct, or not to conduct elections, but it has chosen not to exercise its power to conduct elections. In theory the Government should make the voter lists, hold elections under their guidance and arrangements and the Deputy Commissioner of Amritsar should preside over and hold the elections of the SGPC President and its office bearers and their subsequent annual election. However, due to the Government's apathy (there is no provision in the Act compelling the Government to conduct the elections and constitute the SGPC Board after a fixed interval); and due to the procedural flexibility of elections (in practice, elections have not been conducted on schedule after the expiry of the statutory term), the positions of power of those who have captured it are further entrenched and perpetuated, making any attempts at reform difficult. Subsequently, there are also no checks or screening against non-Sikhs becoming voters, other than the declaration stated previously, which has in effect become mechanical.



The election system has therefore been criticised for breeding perpetuation and entrenchment of vested interests. The factional infighting and the misuse of power has subsequently raised questions as to whether the SGPC has strayed from its religious base and instead of addressing problems facing Sikhs, has itself become a problem for the Sikh community.

The electoral strategy of the SAD within the SGPC has been tainted with a reputation for corruption. Such allegations of the opposition parties about the misuse of government machinery by SAD are still commonly associated with the SGPC. Articles bearing titles such as 'SGPC elections marred by violence, alcohol and hypocrisy' (Byala, 2004) are common and widespread in newspapers such as the *Sikh Times*, *The Tribune* and a plethora of Sikh internet news sites. This particular article also stated that only an estimated 35-40% of the possible 5.5 million electorate voted in the 2004 elections.

In practice, the inclusion of the election system in the Sikh Gurdwaras Act, 1925 has allegedly bred nepotism, bribery, manipulation, corruption, scandals, mismanagement, factionalism, misuse of official

machinery, priority of party interests, abuse of power, rhetoric, false promises, immorality, hypocrisy, favouritism, infighting, misappropriation of funds, incompetency of SGPC employees, greed and rigging.

Articles in *The Sikh Review*, *The Sikh Bulletin*, *The Spokesman*, and surveys conducted periodically by the *Tribune* staff reveal that over 2000 articles have dealt with the SGPC since 1998, and many of those deal with faction, politics, and at times, either criminal or “un-Sikh” action (Singh, Pashaura and Barrier (eds.), 2004, p.208).

Gobinder Singh hypothesised that the earliest interaction between different parties for the control of the SGPC may be traced back to the elections held on 18<sup>th</sup> June, 1926. It was limited to mainly three parties: the two factions of the SAD, namely the Akali Party and the Sardar Bahadur Party, and a group of pro-Government Sikhs called ‘Hailey’s *Sudhar* Committee’ (Singh, Gobinder, 1968, p.111). The electoral strategies of the different parties in the first Gurdwara elections reveal that the inclusion of the election system in the Act has led to party

struggles between different sections of the Sikh community for the control of the SGPC.

If certain individuals are not elected, they gain membership through nomination or co-option because there is no apt criterion for co-option other than not more than 5 out of the 15 can be from the Punjab. The Act also puts the onus for registration on the voters themselves. A large part of the eligible Sikh population, therefore, does not exercise the right to vote, which means that the SGPC fails as a democratic institution which is truly representative of the Sikhs because the numbers of votes actually depends on the numbers of people that the party can get registered as voters. The quality and composition of members is therefore restricted. This has led to little or no representation of Sikhs from a plethora of traditions, denominations, the diaspora and also a marked absence of intellectuals, which inevitably hinders the outputs of the SGPC.

The motivation behind including co-option was to provide opportunity for the SGPC to have members from different places outside Punjab to acquire an 'all-India' representative character and also to utilise the

skills of useful Sikhs in an advisory capacity without them having to stand for election. However, in many cases the co-option was confined to the followers of the majority party in the SGPC (the SAD) thereby defeating the very purpose for which the co-option was made a statutory provision. This led to a demand for the co-option of the members of the SGPC and other local committees to be confined to the educated classes with University qualifications (Gandhi, 1993, p.193).

The SGPC was blamed for the co-option of the members on the considerations other than those of upholding the SGPC as the representative body of all the Sikhs. Sardar Uttam Singh Duggal remarked:

Members are co-opted on the basis of their group affiliation and the higher principles of galvanising SGPC as the single representative body of the Sikhs, are ignored with impunity (in Gandhi, 1993, p.193).

Giani Kartar Singh also admitted this fact when he said:

Under the previous Act only the Sikhs of the British Punjab had been given representation on the SGPC and the Sikhs residing outside the British Punjab had not been given any representation worthy of mention. In fact limited representation was given to them and that too, by means of nominations (in Gandhi, 1993, p.193).

The Chief Khalsa Dewan had objected to an amendment in s.43(iv) of the Sikh Gurdwaras Act to increase the number of the co-opted or nominated members of the SGPC Board to 20 as it was considered to be a means of making the party in power absolute. They commented that:

In a democratic constitution, co-option is resorted to very sparingly. There is no meaning in increasing the number of co-opted members from 14 to 20 except that the party in power, should have 34 votes more (in Gandhi, 1993, p.209).

Furthermore, the Act failed to incorporate within it, statutory provisions which would identify, co-opt or nominate members to the SGPC Board, Tribunal or Commission that were religious faith

practitioners (who had a background and lifestyle of prayer and service) and who therefore would be more likely to possess the qualities outlined in the previous section of this chapter (6.3.1). Sections 69 and 104 of the Sikh Gurdwaras Act, 1925 made the Executive Committee of the SGPC Board and Committees of Management final arbiters in the service matters of their employees. The lack of security of service for Gurdwara employees is a disincentive for attracting high calibre Gurdwara employees with religious and academic proficiency. Gobinder Singh identified a low participation of women; low participation from *Sant* (Saint) traditions; high participation from persons of good financial backgrounds; but low participation from persons of religious and academic proficiency. Those holding religious positions before their entry into the SGPC did not gain entry into the SGPC through election but had been recruited to it in their ex-officio capacity as head ministers of Sikh Takhts.

The lack of provisions and processes in the Sikh Gurdwaras Act, 1925 to identify candidates with such qualities and values as outlined in the Sikh Sacred Scriptures, means that the Board (SGPC), Judicial Commission and Tribunal constituted by the Act, are more likely to be

composed of people who are not driven by their duty to practice the Sikh *Dharam* and who therefore do not have the qualities and values cultivated by prayer and service. The management of the Gurdwaras is therefore more likely to fall into the hands of those who are not practitioners and decisions regarding Gurdwaras and Sikhs are more likely to be made which are not in line with and do not reflect the Sikh values espoused in the Sikh Sacred Scriptures. This in turn also means that Gurdwaras as institutions are more unlikely to be representative and symbolic of the values from the Sikh Sacred Scriptures that they intend to espouse, embody and cultivate. Ironically, this result is a contradiction to the motivations of the Gurdwara Reform Movement that the Sikh Gurdwaras Act, 1925 was constituted for; which was to perpetuate Sikh traditions and values by upholding the honour and dignity of the Gurdwaras.

## **Conclusion**

Through a theological evaluation of various significant aspects of the Sikh Gurdwaras Act, 1925, relating to resources and finances; politics and power; and the criteria and selection process of religious leaders;

this chapter has illustrated that the SGPC, originally constituted as a religious body for Gurdwara management, had marked political undertones from its outset and has subsequently evolved into an organisation synonymous with political interests. However, despite this, it continues to enjoy the resources, finances and religious authority accorded to it through the Sikh Gurdwaras Act, 1925. This theological evaluation is one which the literature review highlighted does not currently exist and therefore adds significantly to the discourse on Gurdwara management and Gurdwara legislation.

This chapter established why political interests should not supersede religious ones within the SGPC, through a theological evaluation engaging in the interpretation and application of the Sikh Sacred Scriptures which teach the superiority of religiosity over politics. It is clear from the theological evaluation, that the Sikh Sacred Scriptures teach that prioritising and abusing secular and political power is detrimental to religious progress and detracts from spirituality; secular and political power is insatiable, perpetual, false and perishable; attempts to seek secular and political power are futile; only spiritual power through the love and remembrance of God is 'true' power; the



Guru's religious authority is superior to secular and political authority; and that God is the ultimate leader and authority.

In a paper on the future of Sikh religious leadership, Dhillon advocated that the void between religion and politics within Sikh leadership could be bridged through an integrated model of leadership:

An integrated model of leadership, initially propagated by the Sikh Gurus, gives way to the separation of domains, between the religious and the secular or political...many of the problems in the history of the Sikh *Dharam*, including today, stem from the problematic comingling of religion and politics and the way that such mixture contaminates the purity of Sikh teachings (Goshen-Gottstein (ed.), 2009, p.15).

An article on 'Leadership' by Bhai Sahib Dr. Mohinder Singh, similarly emphasised the need for a spiritually inclined leadership, even when operating in a secular context or framework. This can be applied to the Sikh religious leadership constituted by the SGPC:

In a spiritual context, although humans as mortal beings operate on the secular plane; by realising and constantly becoming aware of the Immortal Divine presence of God within, one produces a spiritual orientation to human thought and action. In this way, institutions with a secular framework can co-exist with spirituality. Once the spiritual self is unlocked, it has infinite potential to instinctively control the secular self and secular vices. Any authority or leadership vested in individuals is then exercised in humble subordination and with ultimate allegiance and accountability to God. Furthermore, this connection with the Divine, leads to an Infinite vision, and the embodiment of Divine traits (Singh, Bhai Sahib Dr. Mohinder, 2009).

Through further theological evaluation of the Sikh Gurdwaras Act, 1925, using the Sikh Sacred Scriptures, this chapter also highlighted that the selection process and criteria for the SGPC and its electorate within the Act is also contradictory to the teachings of the Sikh *Dharam*. If the original aims of the Sikh Gurdwaras Act, 1925 are to be met, then there is a need for a more religiously inclined leadership within the Board that the Act constitutes (the SGPC). The criteria of leaders as stipulated

in the Sikh Sacred Scriptures is one who is: wise through prayer; humble through service; selfless; honest and benevolent; wealthy in Divine capital; compassionate and forgiving; and embodying and practicing virtues and values. The model for the selection process of leaders established by the Gurus themselves, which advocates the selection of leadership based on merit and a call to service; was also affirmed and highlighted as contradictory to the process of elections incorporated within the Act.

The election system has also set a precedent. Other Gurdwaras across the world which the Act does not apply to, have also followed the lead of the Sikh Gurdwaras Act, 1925, by replicating the system of electing officers and management committees. It can therefore be speculated that the survival of Gurdwaras as religious institutions is in jeopardy if their management is driven by resources, finances, politics, power and elections.

As the Gurdwara Reform Movement and Gurdwara legislation sought to return the management and ownership of Gurdwaras back to those who were practicing Sikhs, it can be suggested that Sikhs managing,

serving, or performing administrative duties for a Gurdwara, should therefore ideally be practicing Sikh values as espoused by the Sikh Sacred Scriptures and that those constituting Gurdwara management organisations and committees such as the SGPC, should also be. It can also be suggested that Sikh religious values should be reflected by individuals making up the SGPC membership, as it is a primarily a religious organisation, constituted for the management of religious places of worship, which are of concern to the worldwide religious Sikh community. Furthermore, it can be argued that as the Gurdwaras which the SGPC is constituted to manage, both house and uphold the values of the Sikh Sacred Scriptures, that the SGPC membership also should also embody and reflect these values if it is to fulfil its role as outlined by the aims and objectives of the Act.

Based on the teachings of the Sikh Sacred Scriptures, it would be beneficial for scope to be created within the Act to select SGPC members, or a quorum of its membership, based on a criteria of their religious merit and commitment to prayer, selfless service and embodiment of religious qualities, in order for the SGPC to fulfil its role within the remit of the Sikh Gurdwaras Act, 1925 and in order for it to

be a more authentic reflection in its constitution and actions of Sikh values.

When looking at the methods used by other religious traditions in the selection process and criteria of choosing religious leadership, an interesting example can be seen in the case of the Baha'i faith with the Administrative Order as it incorporates a political process for decision making<sup>33</sup>, but also reflects the principles of their particular faith.

Baha'i administration is divided into elected positions within an institutional framework of councils of two main branches. Their highest body is the 'Universal House of Justice', Haifa, Israel which is elected every five years. The highest appointed authority is the 'Institution of the Guardianship', which is a hereditary authority. These two institutions both have Divine authority for Baha'is. Baha'i elections are conducted in three-stages where only residents within the jurisdiction of the body being elected are eligible for membership. Members are chosen by the electorate based on a criteria of five qualities: selflessness and detachment; prayer and reflection; lack of

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<sup>33</sup> Such political processes are also apparent in the elaborate rules for a Papal Conclave in Roman Catholicism.

passion and prejudice, and material considerations; unquestioned loyalty of selfless devotion, of a well-trained mind; and recognized ability and mature experience. The elections are won by plurality, however political campaigning, parties, and nominations (as practiced in other democracies) are not permitted.

Elected representatives to Councils are expected to act according to their conscience rather than according to the will of the electorate. Council members are therefore vested with the authority as the head of the community, and hold no individual authority. The Universal House of Justice is entitled to make new Baha'i laws, and may also repeal its own laws. Baha'i individuals and institutions are morally obliged to consider their opinions. The Universal House of Justice does not have the authority to change scriptural laws. Baha'is consider their electoral process as a sacred act essential to the health of the community. This is founded upon the belief that God guides humanity through messengers, who have prophesied a 'Kingdom of Heaven on Earth.' The revelations of a system both of God and of the people are believed to be the fulfillment of such prophecies in the writings of Baha'u'llah.

The Sikh Sacred Scriptures teach that leadership without the spiritual dimension is the equivalent of 'blind' leadership (misguided, unmeaningful and hollow and detrimental to others):

If a blind man is made the leader, how will he know the right way? His mind is deceived, and his understanding is shallow and inadequate; he will be misled. How can he follow the path and reach the Mansion of God's Presence? Blind is the understanding of the blind. Without God's Name (*Naam*), they cannot see anything; the blind are drowned in worldly and fruitless strife. Day and night, the Divine Light shines forth and joy wells up, when the Word of the Guru's *Shabad* is enshrined in the mind. With joined palms, pray to the Guru to show you the way (Guru Nanak Dev, Guru Granth Sahib, p.766).

If the leader is (spiritually) blind, his companions are bound to be robbed of their belongings (Bhai Gurdas, Vaar 37, Pauri 28).

Dhillon reinforces this concept in a paper on the future of Sikh religious leadership:

The future of religious leadership, is closely related to education, knowledge and training. But above all religious leadership needs to be an expression of the vision of the Gurus. Guru Nanak chose his successor on the basis of spiritual aptitude. For Sikh leadership to flourish, one must return to an aptitude based system, and help develop, in educational terms, those who possess such aptitudes. A return to the spirit of service is the foundation of successful leadership and must provide the basis for the future of Sikh religious leadership (in Goshen-Gottstein (ed.), 2009, p.16).

The next chapter concludes by giving a summary of the findings from this historical and theological evaluation of the Sikh Gurdwaras Act, 1925 and suggests ways for improving the future of Gurdwara management within the remit of the Act.



## CHAPTER SEVEN - CONCLUSION

The Sikh Gurdwaras Act, 1925 was a landmark piece of legislation resulting from the Gurdwara Reform Movement. This study has engaged in a historical and theological evaluation of the Sikh Gurdwaras Act, 1925 in order to learn about its genesis and to discuss its consequences for Gurdwara legislation, Gurdwara management and institutions of Sikh leadership. This chapter concludes and gives a summary of its findings. It then suggests ways forward for improving the future of Gurdwara management within the remit of the Act in order for the contradiction between the content in and implementation of the Sikh Gurdwaras Act, 1925 to be reduced so that Gurdwara legislation, Gurdwara management and Sikh leadership epitomise are a more authentic reflection of the theological teachings of the Sikh *Dharam* contained within the Sikh Sacred Scriptures, which Sikhs accept as their Guru. These suggestions include reinstating the principles of the *shuddhai* ceremony; re-evaluating the role of *Jathedar* of the Akal Takhat; including Sikh *Dharam* practitioners in the SGPC through nomination/co-option; increasing participation in the SGPC of diaspora

Sikhs; incorporating the interfaith context; and extending the notion of 'sacred sites, sacred solidarity'.

Although the Sikh Gurdwaras Act, 1925 was a secular construct, during the Gurdwara Reform Movement it was debated that the aims of it were to ensure that 'the Gurdwaras and shrines should perform their proper function, namely the maintenance and furtherance of the Sikh religion'. However, using the criteria of the Sikh Sacred Scriptures, this study has highlighted that over the 87 years since the Sikh Gurdwaras Act, 1925 was established, the fulfilment of its initial aims has been questionable. The Chief Khalsa Dewan had in fact objected that the Act would 'nullify the whole teachings of Sikhism' (in Gandhi, 1993, p.209). As a result, although the Sikh Gurdwaras Act, 1925 came about due to the religious demands of Sikhs; the Act and the SGPC constituted within it for the 'maintenance and furtherance of the Sikh religion' have however failed to incorporate values of the religion that it intended to maintain and further. Ultimately the study has demonstrated that the results of this have been contradictions and discrepancies between the content and implementation of the Sikh Gurdwaras Act, 1925; the constitution and

actions of Sikh leadership institutions (the SGPC and the SAD); and between the theological teachings of the Sikh *Dharam*.

In order to demonstrate this, the study engaged in a historical evaluation of the Sikh Gurdwaras Act, 1925 by firstly establishing the role of the Gurdwara, its importance in the Sikh *Dharam* and by giving a history of the management of Gurdwaras prior to the Gurdwara Reform Movement. It highlighted that problems with Gurdwara management were apparent as early as 1606 with the corruption of the *Masand* system and it identified the annexation of the Punjab in 1849 as a critical turning point which led to the development of British policies in the management of Gurdwaras. Historical sources revealed that the British felt the need to both encourage Sikh identity, particularly for recruitment into their army for the War effort, but also to keep Gurdwara management in their control and to curb the threatening power of the Sikhs to their Empire. When the behaviour of the *Mahants* began defying Sikh values, teachings and practice; and when the British administration started encroaching on the religious and spiritual practices of Sikh Gurdwaras, this acted as a catalyst for the creation of anti-British reform movements and propaganda and ultimately as the

starting point and mobilisation for the Gurdwara Reform Movement. From 1919 onwards, the preliminary efforts of the Gurdwara Reform Movement failed, which led to escalated, heightened sentiments and even loss of life for the cause.

By giving a historical narrative to the genesis of the Sikh Gurdwaras Act, 1925, the background and context to the Gurdwara Reform Movement, the British policy of non-interference was discussed and the first attempts at Gurdwara legislation described. The failure of the first attempts at legislation, the growing demands of the Sikh community and attempts for a second Gurdwaras Bill were then given. The increasing autonomy and role of the SGPC involvement in the content of the Bill and Hailey's policies which caused further aggravation of existing tensions were highlighted within this narration and followed by a discussion of the materialisation of the *Sikh Gurdwaras and Shrines Bill, 1925* and its content.

The factors which led to the creation of the Sikh Gurdwaras Act, 1925; the existence of the SGPC and the SAD; and the factors which exacerbated the Gurdwara Reform Movement were then considered.

The study identified one of these factors to be the relationship of the British administration towards the Sikh community. At first this was one of refusing to take responsibility or the blame for the *Mahants*. It was also one of refusing to compromise by not allowing the release of the SAD prisoners who had been jailed for trying to reclaim the Gurdwaras from the *Mahants* for the Sikhs. This led to a unique and peculiar situation which it was felt could only be overcome by legislation in order to secure a satisfactory and permanent solution.

The policy of non-release of prisoners by the British, coupled with the Sikh dissatisfaction with British legislative attempts, exacerbated the time taken to resolve the issue of Gurdwara reform. This was further problematised with issues of representation, complaints from minority Sikh communities, the concerns of Hindu and Muslim communities and the need for clear and united parameters from the Sikh community. The parameters in question rested upon the definition of Sikh identity, the definition of a Gurdwara and the need for defining the evolving role of the SGPC as a spokesperson, representative and implementer of legislation, for the Sikh community.

The historical evaluation made it clear that the Sikh Gurdwaras Act, 1925 came about as a result of a unique and exceptional religious, political and historical scenario created by the Gurdwara Reform Movement. The five years of the Gurdwara Reform Movement involved a bitter struggle between the Sikh community and the British administration. 1920 saw the formulation of the SGPC and the SAD as a result of the historical situation created by the presence of the British in India. The Nankana Sahib tragedy in 1921 can be seen as a turning point in the relationship between the Sikhs and the British administration. A Commission was subsequently set up by the British to resolve disputes between the *Mahants* and the SGPC and the *Sikh Gurdwaras and Shrines Bill* was drafted in 1921. Unable to secure the support of the Sikh community for this Bill, another attempt was made in November, 1922 which the British passed without Sikh consent. The resentment caused by this move, ironically led to the increased power of the SGPC following a decision in 1923 for SGPC candidates to sit for election in the Indian Legislative Assembly and Punjab Legislative Council, in order to gain more seats to influence the content of the legislation. 1924 saw a 'stalemate' between the British and the Sikhs, leading to a failure in the Birdwood negotiations. Subsequently, after

failing to come to a resolution after 4 years, the British drafted a Bill in collaboration with the SAD, the drafts of which were made public in April, 1925. This was the *Sikh Gurdwaras and Shrines Bill of 1925*, which became an Act in November, 1925.

The Sikh Gurdwaras Act, 1925 met its immediate short term objectives and aims by putting an end to the struggle of the reformers. It acknowledged the right of Sikhs to manage their own places of worship by giving them the victory of regaining control of the Gurdwaras from the British Government in India, thus, it was also recognised, that the remaining *Mahants* were not the proprietors but the temporary custodians of Gurdwaras and Gurdwara properties. It also acknowledged that the Sikh Gurdwaras were the heritage of the Sikhs and would be managed and controlled by a body elected by the adult Sikh community, thereby establishing official recognition of the independent status of the Sikh *Dharam* and of Sikh identity statutorily. The Act lawfully placed the management of the Sikh shrines in the hands of the representatives of the Sikhs through a scheme of purely Sikh management, secured by statutory and legal sanction, for places of worship which were decided either by legislature, an independent

tribunal, or by an ordinary court of law, to be in reality places of Sikh worship which could be managed by Sikhs.

Despite the short term objectives and aims of the Sikh Gurdwaras Act, 1925 being met, it was made clear from the subsequent discussion on the jurisdiction and constitutional validity of the Act, that although the Act created new institutions of legitimacy, leadership and direction for the Sikh diaspora (namely the SGPC and the SAD), in the long term its success was questionable. It was illustrated that although the jurisdiction of the original Act only initially applied to 1925 Punjab, it has in the long term come to influence the management and administration of historical Sikh shrines across India and Pakistan (not just Punjab) thereby leading to a change in the religious and political landscape of India, the setting of new legal parameters for Sikh institutions and marking a new era in Gurdwara management through replicated frameworks of statutory and bureaucratic governance (namely the SGPC model of management). Notably, some important Gurdwaras such as Sachkhand Sri Hazur Abchal Nagar in Nanded, have resisted attempts to impose SGPC rules.



It was also highlighted that the long term success of the Act was questionable because various clauses left significant scope for continued Governmental interference in Gurdwara management, with particular debate surrounding constitutional validity under Articles 26 and 27 of the *Constitution of India*. The evaluation of the Act's jurisdiction and constitutional validity was supplemented with relevant case studies of judgements made which impacted upon the role of the Government in Gurdwara management under the *Constitution of India* and the Sikh Gurdwaras Act, 1925.

A focussed theological evaluation of the Sikh Gurdwaras Act, 1925 was then conducted through the interpretation and application of the teachings within the Sikh Sacred Scriptures. The theological teachings within the Sikh Sacred Scriptures were used to critically analyse certain sections of the Sikh Gurdwaras Act, 1925 which led to problematic issues with its implementation. In particular matters of nomenclature relating to the definition of a Gurdwara; Sikh identity; and caste that are contradictory to the teachings of the Sikh *Dharam* were highlighted. These issues had arisen as a result of the development of the Sikh

Gurdwaras Act, 1925. Thus for the first time, out of necessity, complex matters needed addressing and articulating such as the nature, control and structure of management of Gurdwaras; who was representative of Sikhs and had authority to speak or act on their behalf; and what processes should be used to determine figures of authority in the Sikh community. Bound within these questions were issues of nomenclature, such as what the definition of a Sikh Gurdwara should be; what the definition of a Sikh should be; what type of Sikh identity should be considered legitimate; and which castes of Sikhs should have special provisions within the Act.

Although the issues of defining a Gurdwara, Sikh identity, or caste, were not primary concerns during the formulation of the Sikh Gurdwaras Act, 1925; they nevertheless significantly impacted upon the efficiency and success of the Act's implementation. The theological evaluation highlighted how the content and nomenclature within the Act failed to incorporate teachings from the Sikh Sacred Scriptures. As such, it illustrated a significant contradiction between the content of the Sikh Gurdwaras Act, 1925 and the teachings of the Sikh *Dharam* within the Sikh Sacred Scriptures. This contradiction subsequently led to

discrepancies and disagreements, thus jeopardising the efficiency and success of the Act's implementation. The theological evaluation undertaken in this study indicated that there was a need to accurately incorporate concepts from the teachings of the Sikh *Dharam* as espoused in the Sikh Sacred Scriptures, into the Sikh Gurdwaras Act, 1925, in order for it to fulfil and implement its aims and objectives authentically and successfully.

The theological teachings within the Sikh Sacred Scriptures were also used to evaluate specific content within the Sikh Gurdwaras Act, 1925 which led to problematic issues with the SGPC and the SAD. In particular matters of resources and finances; politics and power; and the criteria and selection process of religious leaders relating to the SGPC and the SAD that are contradictory to the teachings of the Sikh *Dharam* were highlighted through a theological evaluation involving the interpretation and application of the Sikh Sacred Scriptures. The theological evaluation illustrated that certain content and implications of the Act contradicted the teachings within the Sikh Sacred Scriptures and that a lack of incorporation of Sikh *Dharmic* values within the Act was the cause of these problematic issues arising with the SGPC and the

SAD. These issues negated the original purpose, objectives and aims of the legislation and were not conducive for the future of Gurdwara management or Sikh religious leadership.

Overall, it was demonstrated that the SGPC, originally constituted as a religious body for Gurdwara management, had marked political undertones from its outset and has subsequently evolved into an organisation synonymous with political interests. However, despite this, it continues to enjoy the resources, finances and religious authority accorded to it through the Sikh Gurdwaras Act, 1925. This role was contrasted with the teachings from the Sikh Sacred Scriptures which state why political interests should not supersede religious ones and which emphasise the superiority of religiosity over politics. In relation to the SGPC and the SAD, it was demonstrated in particular that prioritising and abusing secular and political power is detrimental to religious progress and detracts from spirituality; secular and political power is insatiable, perpetual, false and perishable; attempts to seek secular and political power are futile; only spiritual power through the love and remembrance of God is 'true' power; the Guru's religious

authority is superior to secular and political authority; and that God is the ultimate leader and authority.

It was also highlighted that the selection process and criteria for the SGPC and its electorate within the Act was contradictory to the teachings of the Sikh *Dharam*. It was thus deduced that if the original aims of the Sikh Gurdwaras Act, 1925 are to be met, then there is a need for a more religiously inclined leadership within the Board that the Act constitutes (the SGPC). The theological evaluation outlined that the criteria of leaders as stipulated in the Sikh Sacred Scriptures is one who is wise through prayer; humble through service; selfless; honest and benevolent; wealthy in Divine capital; compassionate and forgiving; and embodying and practicing virtues and values. It also affirmed and highlighted that the model for the selection process of leaders established by the Gurus themselves, which advocates the selection of leadership based on merit and a call to service, was contradictory to the process of elections incorporated within the Act.

The theological evaluation of the Sikh Gurdwaras Act, 1925 thus indicated that religious qualities should be reflected by individuals

making up the SGPC membership, as it is primarily a religious organisation, constituted for the management of religious places of worship, which are of concern to the worldwide religious Sikh community. Furthermore, it was argued that as the Gurdwaras which the SGPC is constituted to manage, are in existence to both house and uphold the values of the Sikh Sacred Scriptures, that the SGPC membership should also should also embody and reflect these values if it is to fulfil its role as outlined by the aims and objectives of the Act.

Overall, the historical evaluation in this study has not intended to view British and Sikh relations, traditions and values as incompatible. Nor has the theological evaluation intended to demonstrate that secular and spiritual paradigms cannot co-exist. As stated in section 1.1 of this study, it has however highlighted the following points:

- The Sikh Gurdwaras Act, 1925 arose from a specific and unique historical context but the accuracy, relevance and application of its content needs to be reconsidered.
- Secular legislation for religious and spiritual matters can produce results contradictory to the values of that religious faith.

- Secular management and leadership structures used for spiritual matters are susceptible to political influences.
- The void between scriptural teaching and legislation or guidelines pertaining to religious matters needs to be bridged so that legislation is accurate, relevant and appropriately reflective of religious traditions, teachings and sensitivities.
- Legislation relating to religious faith institutions or religious faith leadership which is formulated in the above manner will be conducive to ensuring that religious institutions reflect the values of the religious faith they pertain to and that religious leaders embody the values of the religious faith they represent.

Gurdwara legislation, Gurdwara management and institutions of Sikh religious leadership affect all Sikhs and are in existence to uphold and perpetuate Sikh religious traditions and religious values. The historical evaluation in this study highlighted that the genesis of the Sikh Gurdwaras Act, 1925 was the result of a specific historical scenario in order to meet the short term demands of the Gurdwara Reform Movement. However, the theological evaluation highlighted that the Sikh Gurdwaras Act, 1925 has over time incurred problems with its

implementation and failed to meet its long term objectives of 'ensuring the Gurdwaras and shrines should perform their proper function, namely the maintenance and furtherance of the Sikh religion', which this study attributes is largely due to a lack of incorporation of Sikh values and concepts from the Sikh Sacred Scriptures in the Act.

Based on the premise that Sikhs accept the theological teachings within the Sikh Sacred Scriptures, which they obey as their Guru; it is clear upon the results of this study that there is a need for redeveloping Gurdwara legislation, Gurdwara management, institutions of Sikh leadership and religious leaders so that they epitomise and are a more authentic reflection of the theological teachings of the Sikh *Dharam* contained within the Sikh Sacred Scriptures. Gurdwara legislation should therefore incorporate Sikh spiritual values, Sikh *Dharmic* concepts and correct nomenclature based on the teachings of the Sikh Sacred Scriptures into models of Sikh religious leadership and other legislation pertaining to Gurdwara management for its future improvement. In order to effect this improvement, changes need to be made to the Sikh Gurdwaras Act, 1925. Furthermore, it is suggested that changes should also be considered which take into account the



globalised context of the 21<sup>st</sup> Century in which Sikhs now find themselves. Two options present themselves for making such changes:

### **1. Abandonment of the Sikh Gurdwaras Act, 1925.**

In practice, this would not be possible due to the lack of an alternative system for organising Gurdwara management and administration; and the historically established role of the SGPC. It would also result in the abolishment of statutory provisions which do in theory protect Sikh interests in the Punjab, India.

Although it has been highlighted by this study that secular legislation for religious and spiritual matters can produce results contradictory to the values of the religious faith, a significant difficulty presents itself in the case of the Sikh *Dharam*. The Sikh Sacred Scriptures contain teachings within it which are doctrinal and prescriptive, but they do not specifically set out legislative rules and guidelines for processes such as administration (for example in the way that *Hadith* does in Islam).

Thus, in the absence of this, secular law such as the Sikh Gurdwaras Act, 1925 is required.

- 2. Amendments to the existing legislation to incorporate Sikh religious values, so that secularity and spirituality are fused together for the common good; and to incorporate guidelines and provisions based on the teachings of the Sikh Sacred Scriptures which will be conducive to improving the future of Gurdwara management and Sikh religious leadership.**

As highlighted, the Sikh Sacred Scriptures do not set out legislative rules and guidelines for processes such as administration. However, returning to the following quotation set out in the methodology of this study when discussing the application of the teachings of the Sikh Sacred Scriptures, this second option stems from the notion that 'the Guru Granth Sahib combined with common sense and application of ideas will suffice' (Singh and Barrier (eds.), 2004, p.222).

Based on this option, proposals for improving the future of Gurdwara management and Sikh religious leadership within the remit of the Sikh Gurdwaras Act, 1925 will now be discussed. These include: reinstating the principles of the *shuddhai* ceremony; re-evaluating the role of *Jathedar* of the Akal Takhat; incorporating Sikh *Dharam* practitioners in the SGPC through nomination/co-option; altering the criteria of Commission members; increasing participation in the SGPC of diaspora Sikhs; incorporating the interfaith context; and extending the notion of 'sacred sites, sacred solidarity'.

**i) Reinstating the principles of the *shuddhai* ceremony**

Based on the results of this study, an alternative method of recruitment to the SGPC Board could be incorporated into the Act which is based on a system of selection rather than election. This would require looking at possible candidate's spiritual qualities (for example considering how much prayer and selfless service they engage in; and their commitment to the discipline of the *Rahit* in terms of how long they have been *Amritdhari*).

Although such a process may face objections for being undemocratic, it can be argued that the ideals of 'collective leadership' within the *Khalsa Panth* and the values of equality and the processes of consensus decisions that are reflected in the Sikh Gurdwaras Act, 1925 through the electoral process, were in fact based on the foundations that those making the collective decision were practicing *Amritdhari* Sikhs (i.e. members of the *Khalsa*).

The principles of the original procedure (referred to as the *shuddhai* ceremony) used to constitute the first committee of the SGPC in 1920 could also be reconsidered in this context for selecting the SGPC's membership. '*Shuddh*' literally means pure and without mistakes, thereby alluding to a procedure which would constitute people who are of 'pure' character and who have 'pure' qualities cultivated by being initiated into the *Khalsa*.

The inaugural meeting of the SGPC was held under the supervision of *Panj Piaras* on 12<sup>th</sup> December, 1920. The *Panj Piaras* scrutinised the credentials of each member regarding observation of *Rahit Maryada*

(Code of Conduct) on the upper storey of Akal Takhat and all those who confessed to shortcomings, were given religious punishment. After this, all the members came down reciting prayers from the Guru Granth Sahib, and were presented to the congregation.

The criteria for the selected candidates were based on Sikh spiritual values. These were that they were to be: *Amritdhari* (a practicing Sikh initiated into the *Khalsa*); wearing five *Kakars* (the spiritual uniform of an initiated Sikh); an early riser (a condition stipulated by the Gurus that one who calls himself a Sikh should rise in the early hours of the morning and meditate upon God's Name - Guru Ram Das, Guru Granth Sahib, p.305); a regular reciter of *Nitnem* (daily prayers of a Sikh); and a contributor of *dasvandh* (a tenth of one's income).

## **ii) Re-evaluating the role of *Jathedar* of the Akal Takhat**

Gandhi argues that for an organisation to be respected, it is essential that it should be operated by men of calibre, integrity and knowledge and that legislation at an all-India level must specify qualifications for

office bearers and members of the apex body and other Committees or SGPC Boards. Apart from their having been well-versed in the Sikh Sacred Scriptures, history and theology, Gandhi also suggests that they must have high academic qualifications. He quotes Dr. Kashmir Singh as stating that:

It would be still better if all the prospective members (candidates) are required to pass through a scrutiny/inquiry/test by a committee of *Panj Piaras* consisting of five *Jathedars* of Takhats. This will be possible only if men of very high character, probity and sagacity adorn the offices of *Jathedars* and therefore provision in the legislation should also be made so that really deserving persons are made *Jathedars* of Takhats (in Gandhi, 1993, p.249-250).

The *Jathedar* of Akal Takhat has been considered as an employee of the SGPC, who can be fired at any time, as was the case of Joginder Singh Vedanti (Robin, 2008; internet article). Robin suggests that the *Jathedar* of the Akal Takhat should be directly elected by the whole community and parameters should be determined within which he is to operate,

work and function; 'he should be independent of all kinds of political and administrative pressures and manipulations and should be so elected that they enjoy the confidence of the entire Sikh *Panth*' (Robin, 2008). The Sikh Gurdwaras Act, 1925 could be amended to include an outline of the *Jathedar's* qualifications, modalities for his selection, his duties and powers and the extent of autonomy he should enjoy. Gandhi states that:

Further, administrative structures to control and supervise the Gurdwaras should be so shaped that Gurdwara management should not become unitary and centralised aggregating all the powers and initiative at the top, rather it should allow sufficient autonomy to the local committees. But so far as spiritual matters are concerned, their administration should be unitary under Akal Takhat *Jathedar* assisted by knowledgeable, ripe and sagacious persons. The management should have no authority in deciding spiritual matters (Gandhi, 1993, pp.250-251).

**iii) Including Sikh *Dharam* practitioners in the SGPC through nomination/co-option**

Another suggestion is the inclusion of a provision in the Sikh Gurdwaras Act, 1925 for the nomination or co-option of Sikh leaders, Sikh intellectuals, or other practitioners with years of long-standing experience of service within the Sikh community. This could include the necessity to submit details of education and community experience with nomination papers. Ideally, candidates should only be allowed to seek election through their personal merit and track record of service to the Sikh community, although the vetting and administration of this would still pose great challenges. It is also advisable to narrow the electorate base so that the qualifications of the electorate should also be the same as those of the candidates for election as this would also result in a higher number of candidates being chosen through their personal merit and track record of service to the Sikh community.

It can also be proposed that the selection criteria for Commission members could be altered so that those members making judgements on disputes on the Tribunal, Judicial Commission and Gurdwara



Election Commission also have an in-depth appreciation and understanding of the Sikh *Dharam* and of Sikh values.

#### **iv) Increasing participation in the SGPC of diaspora Sikhs**

The 2001 Census of India determined present day Punjab to have a Sikh population of approximately 14,573,578, but the eligible electorate that the SGPC is constituted from is estimated at approximately 5,700,000 by Sikh newspapers (Author unspecified, article in *Jagran Post*, 2011). Hence, the SGPC wields a disproportionate amount of influence over issues relating to Gurdwaras and Gurdwara management which affect 30 million Sikhs worldwide in comparison to the size of its electorate (less than a fifth of the total number of Sikhs).

When looking at the example of the original *shuddhai* ceremony again which was used to constitute the SGPC in 1920; the constitution of it was representative of Sikhs throughout India. The electorate in the first 1920 *shuddhai* ceremony was declared as being all the Sikh *Takhats* (seats

of authority), Gurdwaras, *Khalsa Jathas* (organisations), Sikh Platoons (of the British Army) and armies of the Sikh Princely states, who were requested to send their representatives.

However, in the present circumstances, even though the area in which the Act is applicable to has decreased (therefore the numbers of electorate and possible candidates of the SGPC has also decreased), the SGPC has taken on an extended role by representing Sikh interests globally. Thus, just as a clause could be incorporated into the Sikh Gurdwaras Act, 1925 to co-opt or nominate Sikh leaders, intellectuals and Sikh *Dharam* practitioners to the SGPC Board, provisions could also be made to make the composition of the SGPC Board more representative and reflective of the role which the SGPC holds in a globalised world. Similar suggestions can also be made for co-opting or nominating Sikh leaders, intellectuals and Sikh *Dharam* practitioners to the SGPC Board from throughout India and the global diaspora, as Sikh historical Gurdwaras are considered the legacy and common heritage of all Sikhs throughout the world.

#### **v) Incorporating the interfaith context**

In a publication by the Elijah Interfaith Academy Think Tank in preparation for the Fourth Meeting of the Elijah Board of World Religious Leaders, on the 'Future of Religious Leadership' in 2009, it was stated that:

The challenges which religious leadership faces are challenges which confront all leaders, and all traditions, and therefore unite them...Contemporary challenges are in many cases what unite tradition, that might not have previously been aware of some of the systemic challenges they share. The common challenges provide us with an opportunity to better appreciate some of our fundamental similarities, as well as our perennial common challenges (Goshen-Gottstein (ed.), 2009, pp.3-4).

A theme that was highlighted in terms of the future training of religious leaders was the importance of knowledge of other religious traditions and of interfaith dialogue. All the authors were of the conviction that being a religious leader in today's world was also being an inter-

religious leader and that inter-religious work was now part of the mandate of the religious leader (Goshen-Gottstein (ed.), 2009, p.5). At present although the SGPC provides Sikh religious leadership globally, an inter-religious context is not apparent in the content of the Sikh Gurdwaras Act, 1925, or in the immediate responsibilities of the SGPC, although the Sikh *Dharam* and Gurdwaras are a remarkable model of interfaith itself in both doctrine and practice. In an attempt to make Gurdwara legislation more relevant for the future, an incorporation of the need to develop interfaith relations into the mandate of the SGPC within the Sikh Gurdwaras Act, 1925 would be beneficial. This would then provide an opportunity for Sikh religious leadership to be aligned with other religious leadership in the global context outlined by Goshen-Gottstein whereby the problems and solutions to systemic challenges faced by all religious traditions can be collectively addressed<sup>34</sup>.

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<sup>34</sup> For example the Hindu *Dharam* faces similar challenges to the Sikh *Dharam* such as the rise in secularism; growing conversions to Christianity and Islam; and fewer followers learning and understanding the Sacred Scriptures.

#### **vi) Extending the notion of 'sacred sites, sacred solidarity'**

All Gurdwaras, particularly those with historical significance, are revered as sacred sites. Therefore their preservation and the notion of 'sacred sites, sacred solidarity' is an important consideration in improving Gurdwara legislation for the future. Although the correct management and administration of places of worship by people who practice that particular religious faith and in the manner in which they wish to do so, is paramount - the significant global context of the preservation of sacred world heritage sites is also relevant to Gurdwaras.

All sites of religious worship are sacred and should therefore be respected, protected and improved for posterity; just as the creation of the Sikh Gurdwaras Act, 1925 intended to. Gurdwaras have an open door policy and have expounded exemplary universal teachings for humanity as a whole. In an infinite spiritual context, sacred sites, by virtue of being God's creation, are the common heritage of humankind, bequeathed by God and not in fact owned by any one individual or

community. Every individual human being therefore has a stake in the responsibility of preserving and maintaining all sacred sites.

A symposia at the 2009 Parliament of the World's Religions, Melbourne, Australia, articulated that in the 21<sup>st</sup> Century, in an era of globalisation, where sacred sites are targeted for vandalism and desecration and in response to the increasing necessity to protect sacred sites as links between the physical and the spiritual; there is a growing international interest in establishing a preservation protocol for sacred sites of religious and spiritual communities.

The Sikh Gurdwaras Act, 1925, by consolidating the management and administration of Gurdwaras in the hands of the Sikh community, created a culture of 'ownership' of Gurdwaras in the mind-set of the Sikh population only. However, extending legislation relating to Gurdwaras to incorporate a context which demonstrates a willingness of the Sikh community to also support the protection of sacred sites of all religious faiths globally, would reflect the globalised context of the 21<sup>st</sup> Century and would in turn also increase support from the global

community of other religious faiths for a jointly stronger and more consolidated effort towards the protection of Sikh sacred sites.

### **Concluding statements**

The Sikh Gurdwaras Act, 1925 aimed to provide legislative frameworks, rules and administrative guidelines for Gurdwara management; but the paradox which this study has highlighted throughout (alluding to the common example of the letter of the law versus the spirit of the law), is that its implementation failed to express the original spirit in which the legislation was intended and the spirit of the teachings within the Sikh Sacred Scriptures. This study has attributed the failure to a lack of accurate incorporation of teachings and concepts from the Sikh Sacred Scriptures. Although the Sikh Gurdwaras Act, 1925 was a secular construct; this study has advocated that because it deals with and affects Gurdwaras, Gurdwara management and institutions of Sikh leadership (which affect all Sikhs and are in existence to uphold and perpetuate Sikh religious traditions and values), that there is a need for such a discrepancy to be reconciled. This is in order for Gurdwara

legislation, Gurdwara management and institutions of Sikh leadership to epitomise and become a more authentic reflection of the teachings within the Sikh Sacred Scriptures.

From the analysis of existing literature relevant to this study, it was evident that much research has been conducted on the history, significance and management of Gurdwaras; the Gurdwara Reform Movement (1920-1925); the Gurdwaras Act 1925; the SGPC and the SAD; the role of politics in the Sikh *Dharam*; and on institutions of leadership within the Sikh *Dharam*. However, it also revealed that existing historiographies on the Gurdwara Reform Movement were written from perspectives which did not focus on the factors leading to the creation of the Sikh Gurdwaras Act, 1925 in particular, or which specifically addressed the existence of the SGPC and the SAD in the context of the Gurdwara Reform Movement and subsequent Gurdwara legislation (the Sikh Gurdwaras Act, 1925). This is something which this study has addressed by engaging in the historical evaluation of the Sikh Gurdwaras Act, 1925.



The literature review also highlighted that there was very little material directly focusing on the Sikh Gurdwaras Act, 1925 itself in depth and a distinct lack of analysis on the Sikh Gurdwaras Act, 1925, with regards to its impact on the SGPC and the SAD; and on its content, workings and implementation. This study has therefore contributed by filling a gap in the existing narratives on this topic by evaluating these issues from a theological perspective through an interpretation and application of the Sikh Sacred Scriptures. It has been novel because it approached the primary sources of the Sikh Sacred Scriptures, first hand in order to draw interpretations, thereby adding a significantly original perspective to the present discourses on the Gurdwara Reform Movement, Gurdwara legislation, Gurdwara management and on the SGPC and the SAD as institutions of leadership within the Sikh *Dharam*.

The broader theoretical framework of this study within Sikh Studies, returns us to the notions of 'Guru-Granth' and '*Shabad-Guru*' as discussed in the methodology (section 1.3.1.4). This is articulated by Mandair (2009, p.379) who states that interpretations of texts such as the Guru Granth Sahib allow us to connect central terms in the teachings of the Sikh Gurus, to frameworks grounded in finitude and contingency.

This, he argues, allows us to rethink the teachings of the Gurus, as teachings centred on human action rather than a transcendental philosophy.

The previous section briefly discussed various options for redeveloping the Sikh Gurdwaras Act, 1925 in order to improve Gurdwara legislation, Gurdwara management and institutions of Sikh religious leadership for the future through its remit. They are not intended to be definitive, holistic or final 'fixes' but they are however initial suggestions prompted by the conclusions of this study which warrant further research beyond its scope.

As the Sikh Gurdwaras Act, 1925 had and still has, varying implications for Gurdwara management and institutions of Sikh leadership, this study is relevant to the estimated 30 million Sikhs worldwide. The historical and theological evaluation has also made this study of general relevance to other religious faith practitioners, religious or faith based organisations and academics (particularly historians, and theologians). It has also provided a basis for possible future comparative research relating to legislation affecting the places of worship of other religious

faiths; the ways in which those places of worship are managed and administered; and on how their respective institutions of religious leadership are constituted and organised.

## APPENDICES:

### Appendix 1

Chart detailing dates of Guruship of the Sikh Gurus (1469 – Present)

	Name of Guru	Date of coming into the world	Period of Guruship (held until they left for the heavenly abode)
1	Guru Nanak Dev	1469	1469 – 1539
2	Guru Angad Dev	1504	1539 – 1552
3	Guru Amar Das	1479	1552 - 1574
4	Guru Ram Das	1534	1574 – 1581
5	Guru Arjan Dev	1563	1581 – 1606
6	Guru Hargobind	1595	1606 – 1644
7	Guru Har Rai	1630	1644 – 1661
8	Guru Har Krishan	1656	1661 – 1664
9	Guru Tegh Bahadur	1621	1665 – 1675
10	Guru Gobind Singh	1666	1675 – 1708
11	Guru Granth Sahib	(1604 as <i>Adi Granth</i> )	1708 - Eternity

## GLOSSARY<sup>35</sup>

<i>Adharma</i>	No <i>Dharam</i> / religious faith.
<i>Adi Granth</i>	The initial compilation of the Guru Granth Sahib by Guru Arjan Dev in 1604.
<i>Akhand Paath</i>	A continuous reading of the Guru Granth Sahib.
<i>Amrit</i>	Elixir / nectar of Immortality.
<i>Amritdhari</i>	A practising and initiated Sikh who has partaken in the Amrit Sanchaar ceremony.
<i>Amrit Sanchaar</i>	Ceremony to initiate Sikhs into the <i>Khalsa</i> .
<i>Ardas</i>	Supplication.
<i>Dastaar</i>	Turban.
<i>Dasvandh</i>	One tenth of a Sikh's income.
<i>Dharam / Dharmic</i>	The Sikh duties, values, traditions and ethos which constitute the Sikh way of life.
<i>Dharamsal</i>	Original name given to the Gurdwaras.
<i>Ghadr</i>	Rebellion by Sikh activists and Indian soldiers against the British Government during the First World War.
<i>Ghadrites</i>	Soldiers involved in the Ghadr movement.
<i>Gurbani</i>	The Guru's Word (referring to the Sikh Sacred Scriptures).

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<sup>35</sup> Diacritics were not used in the transliteration of the *Gurmukhi* or Punjabi words cited in this study.

<i>Gurmukh</i>	One who walks the Guru's path (literally one whose face is turned towards the Guru).
<i>Gurmukhi</i>	The script which the Sikh Sacred Scriptures are written in (literally meaning from the mouth of the Guru).
<i>Hukamnama</i>	Edict / order from the Guru Granth Sahib.
<i>Jagir</i>	District of land with a private recipient of revenues.
<i>Janaeoo</i>	A sacred thread traditionally worn to identify Hindus.
<i>Jatha</i>	An organised community / group of people.
<i>Jathedar</i>	Head / leader.
<i>Kabit</i>	Type of poetic composition by Bhai Gurdas.
<i>Kakars</i>	The uniform of an initiated Sikh consisting of the <i>Kesh</i> , <i>Kanga</i> , <i>Kara</i> , <i>Kirpan</i> , and <i>Kachera</i> .
<i>Keshadhari</i>	A Sikh who does not cut their hair (can refer to initiated or non-initiated).
<i>Khalsa / Khalsa Panth</i>	Referring to the community of initiated Sikhs.
<i>Kirat</i>	Earning an honest living whilst remembering God.

<i>Langar</i>	A multi-faceted institution associated with Gurdwaras whereby free food is cooked, prepared and served by volunteers to all who enter the Gurdwara.
<i>Mahant</i>	Established administrators of the Gurdwaras.
<i>Manji</i>	Literally a bed, can be interpreted as a 'seat' of authority.
<i>Masand</i>	Preacher and Guru's representative.
<i>Miri–Piri</i>	Temporal and spiritual authority.
<i>Morcha</i>	March / demonstration.
<i>Mul Mantar</i>	Opening verse of the Guru Granth Sahib by Guru Nanak Dev expounding the defining characteristics of God.
<i>Naam</i>	God's Name.
<i>Nishkaamta</i>	Selflessness.
<i>Nitnem</i>	Daily prayers of a Sikh.
<i>Panj Piara</i>	One of the five Sikhs representing the first five Sikhs who came forward to be initiated after the tenth Guru, Guru Gobind Singh's request for 'one who is willing to offer their life for their <i>Dharam</i> ' in 1699. It is believed that collectively, the <i>Panj Piaras</i> (five Beloved Ones) hold the authority and manifestation of the Guru himself.
<i>Panth / Panthic</i>	See <i>Khalsa Panth</i> .

<i>Patit</i>	An apostate.
<i>Rahit Maryada</i>	Code of Conduct which initiated Sikhs live by.
<i>Rupees</i>	Currency used in India and Pakistan.
<i>Sant</i>	Saint.
<i>Sangat</i>	Congregation.
<i>Sant-Sipahi</i>	Saint-Soldier concept.
<i>Sarbat Khalsa</i>	Tradition of making communal decisions affecting the Sikh community.
<i>Sarbrah</i>	Controller / manager.
<i>Sehajdhari</i>	A non-initiated Sikh who cuts their hair.
<i>Shabad</i>	Word (referring to the Guru's Word).
<i>Shuddhai</i>	Referring to the <i>Shuddhai</i> ceremony used to constitute the first Committee of the SGPC. 'Shuddh' literally translates as 'pure' and can be interpreted to mean without mistakes, thereby alluding to a procedure which would constitute people who are of pure character / who have pure qualities.
<i>Smadh</i>	Burial tomb (usually used in by Muslims for the deceased)
<i>Sudhar</i>	Referring to a type of committee containing Sikhs constituted and sponsored by the British Government under Hailey during the Gurdwara Reform Movement.



*Takhat / Takht*<sup>36</sup>

Seat of authority in the Sikh Dharam (five in total).

*Vaar*

Type of poetic composition by Bhai Gurdas.

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<sup>36</sup> The reason for two different spellings is due to differences in various authors' transliterations of the word.

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